

JAIPUR STATE.

The Police Guide

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1933



Lt. His Highness Saramad-i-Rajaha-i-Hindustan Raj Rajendra Shri Maharaja Dhiraja Sawai
MAN SINGHJI BAHADUR OF JAIPUR.

DEDICATED

TO



F. S. YOUNG, Esquire, C.I.E., I.P.S.,
Inspector-General of Police,
JAIPUR STATE.

INTRODUCTION.

On taking over charge of the duties of Inspector-General of Police, Jaipur State, over a year ago, I found that much confusion existed, particularly in Police Stations, on account of there being no definitely laid-down regulations or reliable book of instructions in existence to serve as a guide to procedure and investigation for Station House Officers and their literate staff. The Police Rules of the Punjab Province were more or less taken as binding upon the Jaipur State Police, but even those were not followed in their entirety, nor could they in any way be said to be generally applicable in view of local conditions. Officers trained in other Provinces, e.g., the United Provinces and the Central Provinces were naturally inclined to follow the procedure in force there, wherever it differed from that followed in the Punjab. When Rai Bahadur Dewan Chand took over the duties of the Deputy-Inspector General of Police, Jaipur State, two months after my arrival, he agreed with me on the necessity for regulating and standardizing procedure and for laying down definite lines to be followed by Investigating Officers. The first step in this direction was the holding of a conference in September, 1931, which was carried on for several days and from a consideration of the difficulties demonstrated by the Officers attending this conference and from facts ascertained by both of us after a year's experience of police work in Jaipur, it has been thought advisable to produce this Book as a permanent record and a trustworthy guide to all officers concerned. This has involved a great deal of labour and devotion to duty by Rai Bahadur Dewan Chand and I am certain that all the officers, for whom this book is intended, will join me in considering that the result of his labours is most satisfactory and one which all the officers of the Jaipur State Police are bound to appreciate most fully for many years to come.

Dated Jaipur,
the 8th May, 1932.

F. S. YOUNG

PREFACE.

As everywhere else, the training of Sub-Inspectors in Police methods requires, besides practice and experience, a study of theory which would give them an insight into Law, Procedure and Practical Police Work. The one great need of the Jaipur Police at present is a book of theory which would provide instruction on the aforesaid lines. The Punjab Police Rules, supposed to be followed here, howsoever exhaustive for purposes of the Punjab, do not suit the local conditions of Jaipur State by reason of:—

1. A different dialect :
2. A different mode of life :
3. The abundance of Criminal Tribes, one large section whereof is employed in doing the watch and ward in villages :
4. The peculiar geographical features, especially the low hills which disturb the plains at every tenth mile on an average and afford protection and shelter to criminals ;
5. The extradition difficulties which owing to the State being surrounded on all sides by other Indian States, are far heavier and more serious than in the Punjab :
6. The extraordinary privileges and legal protection enjoyed by certain Tazimi Sardars :
7. The "Tenancy" as opposed to the "Proprietary System" of the Punjab ;
8. The much more restricted powers of District Magistrates of the State as compared with District Magistrates of the Punjab :
9. The fundamental diversity in many respects of the codified law of the State from that in force in the Punjab.

Thus the necessity for the introduction and regularisation of a system to suit the local conditions of Jaipur and to provide instruction to officers and men of the Jaipur Police is clearly apparent, as has been recognized by the I. G. in his foregoing introductory note.

The first attempt that I made in this direction was circulation of a lengthy standing order issued in October last on methods of maintaining Books Nos. IX, X and XII and this was followed by dissemination of instructions piecemeal on matters connected with Police records and Police cases, which were issued from time to time as flaws came to my notice during inspections. Very few officers were able to grasp these instructions, because the staff had no book of reference to fall back upon for general procedure, not even for the elementary principles of Thana working.

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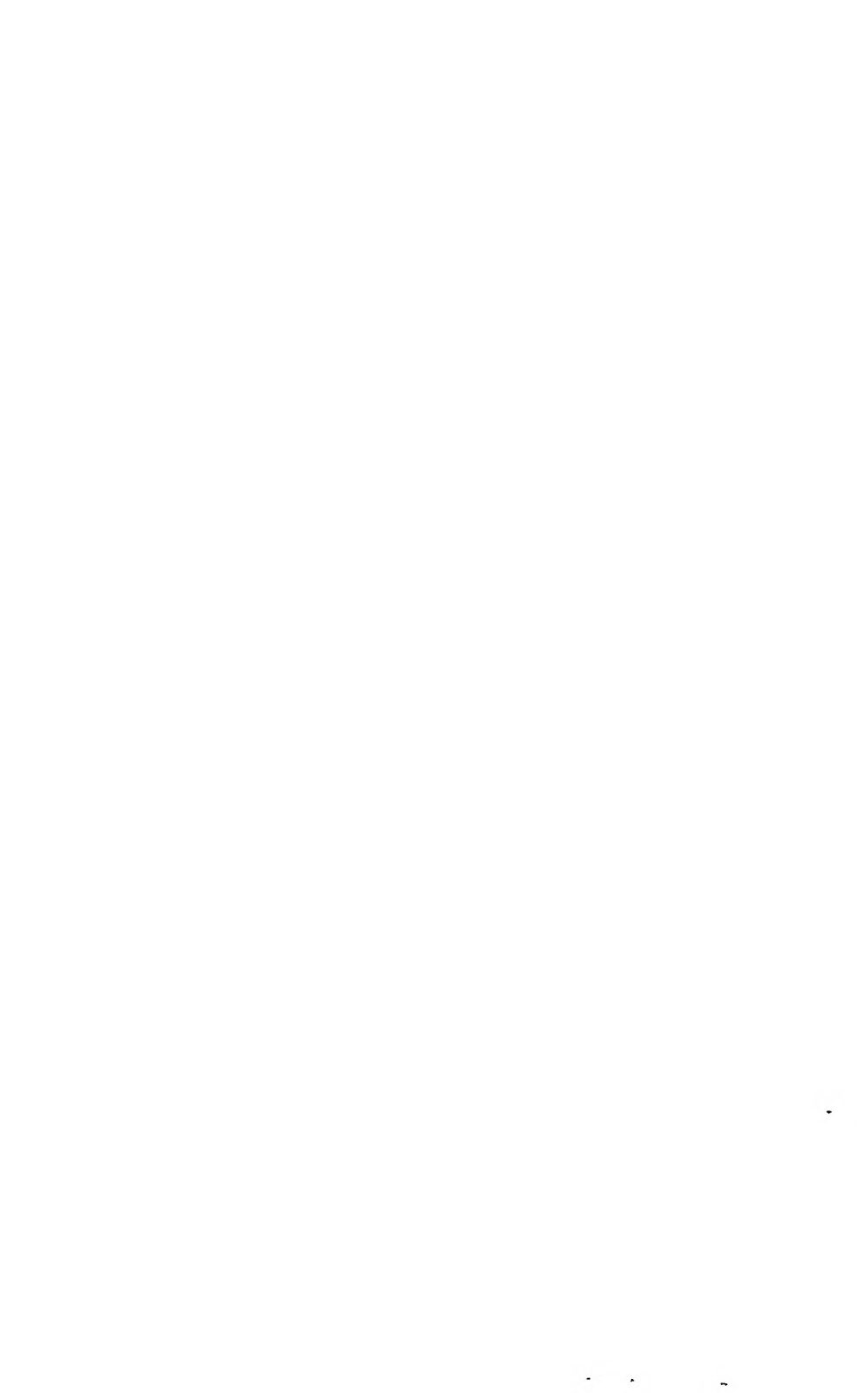
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ABREVIATIONS.

1. B. Bailable
2. C.I. Circle Inspector
3. C.I.D. Criminal Investigation Department
4. Cog. Cognizable
5. C.P.O. Central Police Office
6. C.S. Camel Sawar
7. D.D. Daily Diary
8. D.I.G. Deputy Inspector-General of Police
9. F.C. Constable
10. F.I.R. First Information Report
11. F.P.B. Finger Print Bureau
12. H.C. Head Constable
13. H.S. History Sheet
14. H.S. Horse Sawar
15. I.G.P. Inspector-General of Police
16. J.C.P.C. Jaipur Criminal Procedure Code
17. J.E.A. Jaipur Evidence Act
18. J.P.A. Jaipur Police Act
19. J.P.C. Jaipur Penal Code
20. N.B. Non-bailable
21. N.C. Non-cognizable
22. P.A. Personal Assistant to the I.G. Police
23. P.F. Personal File
24. P.I. Prosecuting Inspector
25. P.P. Public Prosecutor
26. P.S. Police Station
27. P.S.I. Prosecuting Sub-Inspector
28. R.I. Reserve Inspector
29. S.H.O. Station House Officer
30. S.I. Sub-Inspector
31. S.P. Superintendent of Police



INTERPRETATIONS.

The words *Station House Officer* shall include any Head Constable who may be appointed to carry on the duties of a Station House Officer, or who, in the absence of the Station House Officer, may be placed temporarily in charge of the Station House.

For the purposes of performance of Police duty at Police Stations, Reporting Posts, Patrolling Posts, Out-Station Guards, Out-Station Prosecution Offices, Offices of the Superintendents of Police, Office of the Criminal Intelligence Department, Crime Branch, and supervision of such duty by Circle Inspectors and Superintendents of Police, the instructions contained in the pages next following shall, except for phrases and portions which have been constructed in the form of bare commentaries, be deemed to be the orders framed under section 9 of the Jaipur Police Act (12 Police Act), and as such shall be binding on all Police Officers of whatever rank, until such time, as all or any of these instructions have been cancelled or superseded by lawful orders framed hereafter under the same legal authority.



The Author.

CHAPTER I.

General.

Public Confidence.—In every reign and rule, Police is the most important public Department, entrusted as it is with the maintenance of public order and security of life and property of the people on the one hand and with the establishment and maintenance of law and authority on the other. To the ruler this Department is the pivot of his rule and to the ruled it is their protector in time of trouble and need. In fact all human activities—governmental or private—hinge for their smooth progress on Police.

From public service point of view, it excels every other service in that it affords much greater opportunities of serving fellow human beings than any other Department. A Policeman can at every minute of his duty render service of one kind or the other to somebody and it is his rare privilege to do simultaneously his official duty as well as service to his fellow human beings. Unfortunately, however, no class of public servants suffers so much from lack of public confidence and support as the Police. The public do not fully appreciate the difficulties the Police experience in the discharge of their onerous and multifarious duties, rendered still harder by their non-co-operation. The public expect the Police Officer to spend the last ounce of his energy in the investigation of a case in which they are interested; they expect him even to risk his life for capturing a desperate dacoit; they expect him to undergo all hardships in order to unearth a case of theft in which their property is involved; they expect him to round up a gang of *Budmashes* when their honour is at stake at their hands and yet they will not give him the information in their possession, will not only non-co-operate with him in the work of detection and prevention of crime but will also deliberately place obstacles in his way; they will not only refuse to come forward themselves for evidence but will also dissuade others from going into the witness-box. They have yet to realise that a Policeman is as much of a human being as they are; and that his success and utility as a Policeman vary in proportion to the co-operation he receives from them.

The Sub-Inspector is the most important factor in Police administration; as it is he who comes most in direct contact with the public and on whose conduct, sense of duty, integrity of character and efficiency mainly depends the good name of a Police Force. The Thanedar both in his private and official life should so conduct himself as to inspire confidence and earn the regard, affection and good-will of the inhabitants of his jurisdiction. His duties are:—

Thanedar.—The Officer-in-charge of a Police Station is invariably a Sub-Inspector. Within the limits of a Police Station jurisdiction, the Sub-Inspector is primarily responsible for the effective working, management, good conduct and discipline of the local Police, for the preservation of peace and the prevention and detection of crime.

The due performance of all Police duties, prompt service of processes issued by courts, the correctness of all registers, records and reports and the direction, instruction and efficiency of all Police subordinates in the station jurisdiction are matters the Station House Officer is essentially answerable for.

It is his duty to acquire detailed and accurate local knowledge, to secure the whole-hearted co-operation of *samindars*, leading men and *chowkidars*, encouraging them to give him information, to assist him in his work and to range themselves loyally on the side of law and order. Through them and his own subordinates he should keep a strict watch over all known bad characters, and he should communicate all intelligence of moment to his superiors and to other Police Stations without delay.

Within the limits of his charge, he is the chief investigating officer, and as such he should conduct all investigations in person, so far as circumstances permit. His responsibility in this matter must be carefully maintained. Should it be necessary, owing to the absence of the Station House Officer or any other cause, for a subordinate to undertake an investigation, the Station House Officer must satisfy himself by perusing the case diaries and questioning the investigating officer that the investigation has been fully and properly conducted; must remedy what is defective, and must take over the investigation as soon as he is free to do so. In any case final action shall not be taken until investigation has been verified by the Station Officer.

When present at the Police Station he will personally supervise the routine work of the station house, and will be careful to see that there are no arrears of correspondence and that the accounts are correct and up-to-date.

Moharrir.—The station clerk is a literate head-constable who, under the control and supervision of the Station House Officer, acts as clerk, accountant, record-keeper and custodian of State and other property at a Police Station. He is invariably assisted by an assistant clerk, known as *Madad Moharrir*.

As clerk of the Police Station, the Station Clerk shall—

(a) Receive and open the dak, and hand to the Officer-in-charge of the Police Station all papers intended for him. He will maintain register of correspondence No. 5 and write all reports and returns called for by the Superintendent's office. He is responsible to see that all pending papers are promptly disposed of.

(b) Every morning he will bring to the notice of the Officer-in-charge of the station (if the latter is present) all orders and pending papers awaiting execution and reply. At or after the morning parade, he will record the S. H. O.'s orders as to the distribution of duties for the day.

(c) He will write up the Daily Diary and other station house registers in the manner prescribed in Chapter II.

(d) As Accountant, he is responsible for the correctness of the cash book and of the cash balance in hand, as also for rendering accounts of receipts and expenditures to his superiors. He must without fail bring every item of receipt or expenditure promptly and fully to account. If any appropriation of public money to purposes for which it was not intended occurs, or if money shown as expended is not expended, or is expended in a different way from that shown, he is bound to report the matter at once to the Superintendent through his S.H.O. He will write out invoices and cheques and will file receipts and other vouchers for payments made. He will prepare the monthly acquittance rolls and accounts of deductions from and stoppages of pay of all officers and men of the station concerned, and will see that acquittance rolls are duly signed and forwarded.

(e) As record-keeper, he is responsible that all registers and other records are safely kept and that they do not suffer injury from damp, vermin or other cause. In September every year, he will eliminate

under the guidance of the S.H.O. and send to headquarters the records which are liable to be destroyed.

(f) As custodian he is responsible for all State property including arms, ammunition, articles of clothing and equipment and all unclaimed property or property connected with cases. He is in direct charge of the store-room and shall keep its keys in his personal custody and shall personally superintend all receipts and issues therefrom. He shall also be responsible for the safe custody and dieting of persons in the lock-up and shall likewise personally keep the keys of the lock-up.

The *Moharrir's* duties necessitate his continuous presence at the Police Station. Accordingly he shall not be employed on investigation work or any other duty involving his absence from the Police Station for more than a few hours at a time. If he leaves the station house temporarily he shall formally make over charge to the assistant clerk after making an entry in the Daily Diary. Similarly on return to duty he shall again enter the fact in the Daily Diary and both entries shall be signed by the assistant clerk as evidence of his responsibility during the absence of the station clerk.

Under no circumstances shall the station clerk and the assistant clerk be both absent from the Police Station at one and the same time.

CHAPTER II.

Upkeep of Thana Registers.

Book No. 1.—

First Information Reports.—This book is required to be maintained under Section 148 J. C. P. C. (154 C. P. C.), and is issued in 100 leaves, each divided off by columns. It shall contain one foil which will be a permanent record in the Police Station and three counterfoils, two of which shall be submitted respectively to the Nazim and the Superintendent of Police and the third copy made over to the informant. These counterfoils, though ostensibly copies, have been classed as original documents and therefore each must be signed and sealed with the Thana seal by the officer framing the Report.

The counterfoil despatched to the Magistrate empowered to take cognizance of the offence shall be deemed to be the report required by Section 151 J. C. P. C. (157 C. P. C.), and the one despatched to the Superintendent of Police, the report required by Section 158 C. P. C.

Village number shall be quoted in red at the top of the leaf and the name of the Police Station, District, number of F.I.R. and the date and time of occurrence recorded in the places meant for them.

The particulars of the case shall be recorded in the appropriate columns as follows:—

Column No. 1—shall show the exact time, when the F.I.R. was started.

Column No. 2—the name and particulars of the informant and, if he is not the complainant himself, also the name of the complainant, which could be ascertained from the informant.

Column No. 3—the section of law offended against and the estimated value of the property stolen.

Column No. 4—the exact locality in which the offence has occurred and not only the name of the village or town; also the distance and direction from the Police Station, which should be accurate enough to give guidance to the officer

receiving the report, in case he cares to proceed to the scene of occurrence.

Column No. 5—which is primarily meant for the names of suspects mentioned by the informant or the complainant as the case may be, shall be left blank till the close of investigation, unless an accused person has been actually brought to the Police Station with the report.

Column No. 6—shall mention whether the investigation has been started forthwith or if it has not been immediately taken up, the reasons of delay in detail. It may be noted that the word '*Tarvakuf*' (delay), as used in the heading of this column does not mean the delay caused in making the report. That part of the information would be incorporated in the body of the F.I.R. This column is only meant to deal with delays in taking up investigations by the Police, after registration of the cases.

Column No. 7—shall show the date and the hour of despatch of the F.I.R., which invariably is the next dak time, unless it is a special report, in which case it should be instantaneously despatched by the most expeditious means and the time of this special despatch noted in this column.

The open space below these columns is intended for recording the detailed information brought by the informant or the complainant,

report contain anything beyond a bare and untinged statement of the informant or the complainant, as the case may be, and as much as possible in or very near his actual words.

The complainant's statement should be as concise and brief as possible, but must necessarily show description of injuries, and identification marks of the stolen property, as also of the accused to the extent to which these particulars are available at the time of writing the report.

The word "*raghava*," (*etc.*), should never occur in a F.I.R., otherwise there is a constant danger of the credibility of this important documentary evidence being challenged in court.

Omissions of handy and available information in the F.I.R., though mentioned in the First Case Diary, have invariably been treated by courts as after-thoughts and a number of our good cases have fallen through, merely due to this flaw. So far as available, therefore, the important details shall not be left for the Case Diaries, otherwise recoveries, if any made before registration, may fall short of proofs, since the Case Diaries cannot be referred to, in courts.

These statements should furthermore make a clear distinction between the "Eye Witness" and the "Hearsay" portions, because if the writing is ambiguous, the whole of it may be treated as "Hearsay" and consequently rejected from admission in evidence.

The source from which the information was obtained and the circumstances under which the informant ascertained the names of the offenders and witnesses, if any are named, must necessarily be mentioned in the first report.

A mention shall also be made of any delay which has occurred on the part of the informant in bringing the report to the Police Station, with convincing explanations which could be argued in court. After completing the report, signatures or thumb impressions of the informant shall be obtained underneath his statement and the officer recording the report shall affix his own signatures below those of the informant by way of attestation.

Below this report an endorsement shall be made under head '*Karravai Police*' which should necessarily mention:—

- (1) The names of persons accompanying the informant or the complainant as the case may be;
- (2) Steps taken by the Police to initiate investigation or the

reasons for not taking it up, if Section 151 (a) or (b) J. C. P. C. [157 (a) or (b) C. P. C.] is being brought into play;

- (3) Name of the investigating officer and in case he is a subordinate officer, the reasons for the Station House Officer not taking up the investigation personally;
- (4) The fact of reading over the report to the informant or the complainant as the case may be;
- (5) The fact of supplying a certified copy to the informant or the complainant as the case may be;
- (6) In case of special reports, the name of the constable with whom the report is being sent to the headquarters or the fact of its being transmitted by means of a telegraphic or telephonic message.

Below this endorsement the complainant's signatures shall be obtained again in token of his having received a copy of the report and of the contents of the report having been admitted correct by him.

On reverse of this leaf, record of the Case Diaries shall be indexed in the appropriate columns, below which particulars of the Final Report shall be detailed as follows:—

Column No. 1—showing the date of submission of the Final Report or the *challan* as the case may be, as also section of the law applied.

Column No. 2—showing the names of prosecution witnesses cited in the *challan*.

Column No. 3—showing the names and residences of the accused persons.

NOTE.—In the event of there being no accused, the name of suspect if any shall be recorded in red ink in this column and reproduced in the accused's column on the top page. If any intimation sheet of Book No. XII has been issued in respect of a suspect the number and date of such sheet shall also be quoted, below the suspect's name in this column.

Column No. 4—showing details of the property and the weapons, if any, sent with the *challan*.

Below this statement, the result of the case shall be recorded in 3 columns as soon as received from the Prosecution Office:—

Column No. 1—showing the date of receipt of *challan* papers in the Court.

Column No. 2—showing the section of law and the punishment awarded.

Column No. 3—showing the name of the Court and the date of the order; the order of the appellate Court being shown in red.

Special Reports.—Every Officer-in-charge of a Police Station shall, as soon as possible, after he receives information of the commission within his jurisdiction of an offence mentioned below, submit in the form prescribed in the appendix, a special report to his Circle Inspector and Superintendent as also an additional copy to the Inspector-General of Police: provided that if a First Information Report containing the same information has been framed and sent with equal despatch, no separate report need be sent to the Superintendent, though copies for the Circle Inspector and the Inspector-General of Police shall be sent in either case:—

1. Communal troubles;
2. Political cases;
3. Serious complaints against the Police;
4. Cases involving disputes between neighbouring States or Thikanas;
5. Cases of escape from Police custody;
6. Murder cases;
7. All, except purely technical, dacoity cases;
8. Cases of robbery under arms;
9. Reports regarding the arrivals of dacoit gangs;
10. Cases involving complaints against Tazimi Sardars;
11. The loss and recovery of arms and ammunition of foreign manufacture, including a full description of the arms to enable a notification being published in the State Gazette, special care being taken in the case of revolvers;
12. Counterfeiting cases;
13. Occurrences of collisions between Europeans, Americans and Indians;
14. Cases of obstruction and resistance to and assaults on public servants.

Special Reports or First Information Reports sent in lieu thereof shall be enclosed in red envelopes.

Officers-in-charge of Police Stations shall be held responsible for communicating Special Reports with the greatest possible despatch to the Circle Inspectors, Superintendents and the Inspector-General of Police and in serious cases may make a free use of a telegraph office if one is handy or of a telephone if the offence has occurred in Jaipur or its suburbs.

Case Diaries.—The proceedings connected with a case under Police investigation shall be recorded day to day in a Case Diary maintained under Section 165 J. C. P. C. (172 C. P. C.).

Each such diary shall bear the name and rank of the officer framing it at the top, with the number and date of the last case diary mentioned in para 1. In case of First Diary it shall be written in continuation of the F.I.R. without, however, repeating what has already been stated in that report.

Each para of Case Diary shall be written at the time when the work mentioned therein is done and the Diary closed at the scene of investigation from where the original shall be directed to the Police Station for being submitted to the office of the Superintendent of Police. The copy obtained by carbon process shall be retained at the Police Station and the file made thereof sent to the Prosecutor with the Police report framed under Sections 160 J. C. P. C. (167 C. P. C.), 163 J. C. P. C. (170 C. P. C.), or 166 J. C. P. C. (173 C. P. C.), as the case may be.

If during the same day more than one *simnies* have been compiled, *i.e.*, one by the officer on the spot and others by officers carrying on investigation in different directions and places, the *simny* prepared by the officer on spot shall bear the next serial number and others, letters of alphabet suffixed to the said number.

The record of Case Diaries shall be arranged in separate files by cases in their serial order. Each file shall bear an index showing number of leaves, dates of compilation, and names of compiling officers, which will exactly correspond with the index of Case Diaries drawn up on the back of the F.I.Rs.

Incomplete Charge Sheets.—Incomplete Charge Sheets are sent in important cases in which the investigations have not been completed within the prescribed period of three days allowed under Section 50 J. C. P. C. (61 C. P. C.) or within the period of a remand granted under Section 160 J. C. P. C. (167 C. P. C.), as the case may be. In

either case, the accused if in Police custody shall be sent to Court and the evidence thus far available recorded by the Magistrate before the case is remanded or adjourned further.

The same form as prescribed for Charge Sheets shall be employed for writing up the incomplete Charge Sheets with the only difference that in the case of the latter, a note shall be given in the concluding para of column 7 saying that the investigation still continues and that further evidence will follow in due course.

Final Reports.—In cases in which the offences have also been registered in other Police Stations by reason of the jurisdiction question, as also in those which have been found on enquiry to be false, non-cognizable or of a civil nature, a Final Report known as '*Adamvakua*' shall be sent under Section 166 J. C. P. C. (173 C. P. C.) for cancellation of the case. In the former case the Superintendent of Police of the Division concerned shall pass the final orders, while in circumstances enumerated in the latter case, Magistrate's orders shall be sought through the Superintendent of Police concerned.

If an investigation, after admission of the offence fails to bring the charge home upon any person and no prosecution is under contemplation, the investigation shall be suspended and a Final Report known as '*Adampala*' drawn up and submitted to the Magistrate having jurisdiction over the case, through the Superintendent of Police concerned.

The form which has been prescribed in the appendix shall be common for both the untraced and cancellation cases. The headings of this form are sufficiently clear and can easily be filled in from the Case Files. In column 8, detailed reasons shall be recorded for dropping the investigation in case of a cancellation and of suspending it, in case of an untraced report. In the latter case the name of suspect if any shall also be mentioned in the body of the report with a precis of facts which form the grounds of the suspicion.

Charge Sheets.—Charge Sheets are prepared in *challani* cases under Section 163 J. C. P. C. (170 C. P. C.) or 166 J. C. P. C. (173 C. P. C.). The name of the complainant shall be shown in the first column, names of the accused who have not been sent up for trial and those who are still absconding, in the 2nd column, the latter being shown in red ink; names of accused sent under custody in column 3 and those on bail or recognizance in column 4; details of property in

column 5 and names of witnesses in column 6 with single-worded references to the material points on which they are required to be examined, *e.g.*, "Fact," "Corroboration," "Circumstantial," or "Connected fact." In the last column which is intended for a report on the whole case, the Police should always be content with writing a precis of the F.I.R. followed by the words "From the investigation made, the accused mentioned in columns 2, 3 and 4, have been found responsible for this crime and as such are being sent up herewith for trial in Court" adding, in the case of absconding accused "Accused so and so is evading arrest against whom action may be taken under Section 398 J. C. P. C. (512 C. P. C.)." On the reverse of this sheet the fact of submission of finger-print slips, if any are sent, as well as the fact of existence of previous convictions, if any, should be clearly mentioned and attention of the prosecuting officer invited to the provisions of Section 63 J. P. C. (75 I. P. C.), otherwise a case which by reason of previous convictions provides for an enhanced punishment may go to a Magistrate whose powers are limited and inadequate for awarding enhanced punishments.

Petty Offences Register.—In cities and towns where any of the Local and Special Laws, Municipal Bye-laws or Section 29 of the Jaipur Police Act (34 I. P. A.) have been extended, a Register of Petty Offences shall be maintained in two parts, one for Road Offences and the other for non-cognizable cases investigated by the Police.

In rural *Thanas* only one part shall be maintained for record of particulars of the non-cognizable, gambling, vagrancy and bad livelihood cases. Each part shall be divided off in the following columns:—

- Column No. 1. Showing section of law offended against.
- Column No. 2. Place and time of occurrence and substance of information.
- Column No. 3. Name of complainant.
- Column No. 4. Name of accused.
- Column No. 5. Date and time of report.
- Column No. 6. Names of witnesses and details of property, if any.
- Column No. 7. Whether the accused has been sent under custody or on bail or personal bond.
- Column No. 8. Order of Court.

- (g) Brief reports of cognizable offences as required by the provisions of Section 148 J. C. P. C. (154 C. P. C.), giving only a substance of the information and a reference to the number of the F.I.R.
- (h) Reports of non-cognizable offences, which shall be written in full in the first person and signed by the informant on both the foil and the counterfoil of this diary as required by Section 149 (1) J. C. P. C. [155 (1) C. P. C.].
- (j) In Monday's Diary, a list shall also be given in red ink of all the papers pending for over a week.
- (k) In Saturday's Diary the result of Store-Room inspection held by the Station House Officer shall be recorded in red in this Diary.
- (l) On the last day in each month a statement giving the following information shall be entered in red in this Diary:—
 - (a) The number of warrants remaining unexecuted at the end of the previous month, received and executed during the current month and remaining unexecuted at the end of it.
 - (b) Similar information regarding summonses in cognizable and non-cognizable cases.
 - (c) Similar information regarding other processes.
- (m) In the first week of every month a note shall be given in red on the inspection of Books made by the Station House Officer, in the Diary of the day on which such inspection is held.

The Diary shall be maintained in duplicate, the original being forwarded to the Superintendent of Police day to day, and the copy obtained by carbon process retained in the Register as the *Thana* record.

BOOK No. 3.—

Standing Orders.—This book is a permanent record of Standing Orders. Those issued by the Inspector-General shall be kept in one file and others in a separate bundle. The orders received during the year shall be divided off in an index in which each order shall be entered as it is received. The Superintendents of Police shall look up

their office files every September and revise or cancel obsolete orders personally, sending intimation to the *Thanas* under their control.

Such of the Standing Orders as are of daily use and are not very lengthy in context should be copied out on separate pieces of paper and exhibited at the Police Station on boards.

BOOK No. 4.—

Absconders' Registers.—The term 'Absconder' shall be held to mean a person accused of a cognizable offence against whom there is sufficient evidence to justify his arrest, but whose whereabouts are unknown.

The absconders' register shall be maintained in three separate parts.

Part I. Showing names of absconders in home cases.

Part II. Showing names of absconders in outside cases.

Part III. Showing names of deserters from the Army and Police.

In all the three parts, entries regarding residents of Home Police Station shall be made in red ink.

Names shall be registered in Book No. 4 at the time of submission of the Charge Sheets concerned. No entries need be made during the course of investigations.

As soon as an absconder or a deserter has been arrested, or in the case of an absconder if a case sent up under Section 398 J. C. P. C. (512 C. P. C.) has failed in Court, his name shall be struck off this register and date of arrest or of the decision of the Court, as the case may be, entered in the remarks column by the Station House Officer personally.

Proclaimed Offenders.—As soon as a case in which an accused person is absconding comes up before a Court, it shall be the duty of the Prosecuting Officer before proceeding with the evidence of the case under Section 398 J. C. P. C. (512 C. P. C.), to produce the Police Officer who has conducted the search of such person, in order to prove in open court that there is no immediate prospect of the absconder's arrest which he is purposely evading.

Directly some evidence has been recorded, the Magistrate shall be requested to issue a court warrant for the arrest of the offender. This warrant shall be made over to the said Police Officer who had

conducted the preliminary search of the accused and is present in Court after making his deposition.

The said Police Officer shall forthwith take the warrant to his Police Station and after obtaining the Station House Officer's endorsement thereon shall without losing any time, proceed to the residence of the accused for its execution.

If the accused still remains untraced, the said Police Officer shall collect the necessary particulars regarding any property belonging to the absconder and shall prepare a memorandum thereof under the signatures of one or more of village officers, which he shall come and deliver in the hands of the Prosecuting Officer without any delay.

The Prosecuting Officer while returning the unexecuted warrant shall move the Court for issue of a Proclamation order under Section 77 J. C. P. C. (87 C. P. C.) and shall produce the memorandum regarding absconder's property for issue of an attachment order under Section 78 J. C. P. C. (88 C. P. C.).

The attachment order shall be served in the manner prescribed in Section 78 J. C. P. C. (88 C. P. C.), and in case of immovable property shall be forwarded to the local *Tchsildar* who may call for Police assistance, if necessary.

To obtain best results, these operations should be expedited and completed as far as possible within a period of one week from the date of *challan* under Section 398 J. C. P. C. (512 C. P. C.). The words, 'thirty days,' occurring in Section 77 J. C. P. C. (87 C. P. C.) need not mislead the Police to believe that thirty days must elapse before an order of attachment can be passed. The wording of Section 78 J. C. P. C. (88 C. P. C.) clearly show that the order for attachment of property may be made any time after issuing the proclamation order under Section 77 J. C. P. C. (87 C. P. C.). It follows, therefore, that proclamation and attachment may lawfully be simultaneous. See "29 Calcutta 417." As soon as proceedings under Section 398 J. C. P. C. (512 C. P. C.) have been instituted and those under Section 77-78 J. C. P. C. (87-88 C. P. C.) started which must follow, although there may be no property available for attachment, a note to this effect shall be made against the name concerned in Book No. 4 and if he is a resident of the home jurisdiction, a History Sheet shall be started after registration of the name in Book No. 10, Part (I) and Book No. XI, Part (I). The name shall then be brought

on the Proclaimed Offenders' Register and the List of Proclaimed Offenders both in the *Thana* and the Superintendents' offices. In case he is resident of a foreign jurisdiction, a notice shall be forwarded to the Station House Officer of the *Thana* concerned. If in the same district, this intimation shall be sent straight and a copy to the office of the Superintendent of Police; if in other districts, the intimation shall pass through both the Superintendents.

On receipt of this notice, the Station House Officer of the Home Police Station shall make the necessary entries in his Book No. 4, Proclaimed Offender's Register, Proclaimed Offender's List, Register No. X, Register No. XI, and shall also start a History Sheet if one does not already exist, while the Superintendent of Police will register the name in the District Proclaimed Offender's Register and List.

If a case sent up under Section 398 J. C. P. C. (512 C. P. C.) fails in Court, the name of the offender shall forthwith be struck off this and other registers and lists both of the home and the reporting Police Offices and all measures and efforts in operation for his apprehension at once dropped and ceased, unless it is desirable for other reasons to trace and watch him.

Whenever a Proclaimed Offender is arrested or his name has been struck off the Register, intimation shall be sent direct to the District and the Police Station of which he is a resident. On receipt of such intimation a note shall be made in the Absconder and Surveillance Registers of the date and place of arrest, and the name struck off the Absconders, Proclaimed Offenders and Surveillance Registers and Proclaimed Offender's Lists; and History Sheet and Personal File destroyed unless otherwise ordered.

A detailed list of all Proclaimed Offenders duly written up-to-date, shall be hung up in the office of the Police Station of which the offender is a resident. A similar list shall be posted up in a conspicuous place on the entrance gate of the Police Station concerned.

The Superintendents shall also maintain, in their district offices, Proclaimed Offenders' Registers and Lists of Proclaimed Offenders who are residents of their districts.

Every Superintendent shall, as soon after the 1st September as possible, carefully revise his district list of Proclaimed Offenders and omit therefrom after consultation with the Superintendent of the District in which such persons were proclaimed, the names of persons

accused of trivial offences or concerned in cases in which from lapse of time or other cause no sufficient evidence is on record or is procurable.

Due intimation of such omission shall be sent to the Officer-in-charge of the Police Station concerned through the Superintendent of Police of his District.

After revision of the District Proclaimed Offenders' List, a statement shall be submitted by the Superintendents early in September every year, showing the names and particulars of offenders wanted to date and the result of action taken for their apprehension during the preceding year.

Book No. 5.—

Correspondence Register.—This book is the Receipt and Despatch Register of the *Thana* and is kept like all offices correspondence registers; the only special feature being that the entries regarding summons and warrants shall always be made in red ink; also that when an entry is made in the receipt columns, the corresponding despatch columns shall be left blank for the reply and *vice versa*. The column of serial number in the middle of the existing form is obviously superfluous and may not be used in future. This column has therefore been deleted from the form prescribed in the appendix.

Book No. 6.—

Miscellaneous Lists.—This book shall show:—

- (i) Names of candidates for employment, whose characters have been verified through the Police.
- (ii) Copies of reports on investigations conducted under Section 167 J. C. P. C. (174 C. P. C.) in cases of sudden and unnatural deaths.
- (iii) Names of persons on security under Sections 105, 107 and 108 J. C. P. C. (Sections 107, 109 and 110 C. P. C.).

Book No. 7.—

State Property and Employees Register.—This register shall show:—

- (i) Names of villages with names of their *Patels* and *Chowkidars*.

- (ii) Names of Police Officers attached to the Police Station.
- (iii) List of arms, State property and furniture supplied to the Police Station.

Book No. 8.—

Criminal Tribes Register.—This book is maintained in two parts and will show names and particulars of male members of Criminal Tribes residing in the *Illaga*. Part I deals with adult members and Part II with boys below the age of 12. The headings are sufficiently instructive and no explanations seem to be necessary. Detailed instructions with regard to grant of exemption and leave passes and other matters connected with criminal tribes will be issued shortly, after a report has been received from the Committee recently appointed to go into the question of Minas. For the present, Superintendents of Police shall during their periodical inspections carefully go through this Register, name by name, and prepare a list showing names of such of the members as have, in their opinion, reformed their character. This list shall be forwarded to the Inspector-General of Police for grant of Exemption Passes after quarterly inspections held by the Superintendents of the Police Stations under their charge.

BOOK No. 9.—This book is maintained by villages as a permanent record of crime and criminals and is made up of five separate parts as follows:—

PART I.—Notes on village community, population, area, number of houses, revenue, principal castes and tribes, market days, fairs and festivals, and names of Patels and leading men of the village.

PART II.—The village crime note book.

PART III.—Record of cases traced to the village.

PART IV.—Confidential Note Book.

PART V.—Conviction Register.

Village Particulars.—The entries in Part I are made after every census and are not altered till figures of the next census are available.

Village Crime Note-Book.—All cases registered in Book No. 1 of the Home Police Station shall be entered in the Village Crime Note-Book in order of the dates of occurrences. No serial number is given to these entries excepting the number of F.I.R. shown in column

No. 1. In columns 2, 3, 4 and 5 shall be entered the dates of occurrences, sections of Law applied, lists of properties stolen and lists of properties recovered respectively. Column 6 is intended to show the names of persons convicted or suspected in the case, the latter being distinguished by red ink entries. Column 7 is meant for names of complainants and results of cases and shall, before the page is started, be divided into two parts by drawing a line across the page, the first for names of complainants and the second for results of cases. Results shall be recorded on receipt of orders of the Magistrate and Charge Sheet Slips in pencil and ink respectively and shall be shown in words "Saza," "Rika," "Bani," "Adamkata" or "Adam Waqua."

Cases Traced to the Village.—Part III is an index of criminals and is intended to show the cases traced to the village. The term 'cases traced to village' as used above means only cognizable cases under Chapter XII and Chapter XVII, Jaipur Penal Code or Scheduled Sections of other Laws in which strong suspicion has rested on any named resident of the village whether the case occurred in the village itself or not. When a case of this class remains untraced or fails in Court, the necessary entry in this Register should never be omitted. Information Sheets copied in Book No. XII-A, will also provide valuable material for making this important Register complete. In combination with the Conviction Register, it should serve the purpose of a complete index to the criminals of the village concerned. This register should, therefore, show all the suspicions made against residents of the village whether in Home Police Station cases or in cases from outside. In cases of Home Police Station, if a resident of the same village has been suspected, his name shall appear both in Book No. IX, Part II and Book No. IX, Part III, of the village of occurrence and if he is a resident of another village in the same jurisdiction, his name will appear in Book No. IX, Part III of the village of which he is a resident, besides appearing in Book No. IX, Part II of the village of occurrence. If, however, he is a resident of a village, which is outside the jurisdiction of the reporting Thana, no such entry need be made in Part III of this village. In such circumstances the case after being registered in Book No. IX, Part II will be reported to the Home Police Station by means of an Intimation Sheet issued from Book No. XII.

Similarly when an offence has been committed outside the jurisdiction in which the investigating Police have suspected a man resident

of one of our villages, they will send us an Intimation Sheet and on this, we would be required to mention the case in our Book No. IX, Part III of the village concerned after copying the sheet in Book No. XII-A. Such of the Intimation Sheets as do not pertain to cognizable cases and are known by the name of "*Ajuabi Mushtaba*" will not, however, find any place in this book.

Confidential Note Book.—Part IV of Book No. IX.—Confidential Note Book of the village is an important document supposed to contain useful local information on party feelings, political activities, communal feelings, system of Patrols, Police arrangements required to be made periodically on occasions of important fairs and festivals and notes on activities of dangerous gangs emanating from or operating in the village. It is a pity that this book has been entirely neglected in the State so far and no intelligent notes are recorded by any of our Station House Officers. Every Station House Officer shall henceforth record detailed notes on all these important matters, as they occur or come to his notice, with a view that his successor in the office of the Station House Officer may find sufficient guidance therefrom.

Conviction Register.—Part V of Book No. IX shall be maintained as a separate book commonly known as the "Conviction Register" and the following rules shall be observed in its maintenance:—

(1) On the first page of this Register shall be entered, in alphabetical order, a list of the towns and villages within the jurisdiction of the Police Station.

The serial number of each town or village, known as "*Dehi Number*" shall be entered on the left and reference to the pages allotted to it on the right.

(2) As many pages as may be necessary shall be allotted to each town and village in their alphabetical order.

(3) At the end of this register a sufficient number of pages shall be allotted for the names of offenders whose residence cannot be traced, or who though residents of a foreign territory, commonly frequent the local jurisdiction.

(4) Every conviction shall be entered in the pages allotted to the town or village in which the person convicted commonly resides.

(5) When two or more offenders are convicted of jointly committing one and the same offence or of separate offences committed about the same time and in the neighbourhood, and there is reason

to believe that the offenders acted in concert, cross-references shall be given in this register drawing attention to this fact.

(6) In cases of subsequent convictions, the serial number of the entry will ride over the number of convictions.

(7) The remarks column of the Register shall show:—

- (a) the place of occurrence, if the offence occurred elsewhere and not in the convict's own village, and
- (b) the number of the convict's history sheet, if any.

(8) When in any town or village the number of convicts exceeds 100, an alphabetical index shall be maintained on the first page allotted to such town or village.

(9) Entries shall be made by, or under the immediate supervision of, the Officer-in-charge of the Police Station. If an entry has been made by a subordinate officer, it shall be signed by the S.H.O. and the conviction slip returned to the office of the Superintendent, in accordance with the rules.

Book No. 10.—

Surveillance Register.—Book No. X is a Confidential record and should be kept by the Officer-in-charge of the Police Station in his personal custody. It falls within the category of unpublished official records relating to affairs of the State and no person can be permitted to give evidence derived therefrom nor can any court compel its production without the sanction of the Inspector-General *vide* Sections 119 and 121 of the Jaipur Evidence Act (123 and 125 I. E. A.).

It shall show a list of surveillees of various classes of bad characters and is maintained in two parts, known as Part I and Part II.

Part I is subdivided into the following three sub-heads:—

receivers of stolen property, irrespective of previous convictions:—

- (2) Showing names and particulars of persons having no ostensible means of livelihood and of persons under security for good behaviour;
- (3) Showing names and particulars of persons convicted twice or more for offences defined in Chapter XII and Chapter XVII and scheduled sections of the Local and Special Laws.

No entry in this register shall be altered cancelled or made excepting under the written orders of a Gazetted Police Officer. When it is no longer required to retain a name in this register, it shall be cancelled and signed by the Superintendent of Police who will record reasons for striking off the name in the appropriate column. If a bad character entered in one part of the register is required to be taken to another part, *e.g.*, a surveillee under Section 452 J. C. P. C. (565 C. P. C.) whose term of surveillance has expired but who has, by reason of complaints received during the period of his surveillance, deserved to continue in No. 10, the name, after the Superintendent's approval has been obtained, shall be struck off Part I (iii) and taken to Part II (i) by the Station House Officer and put up before the gazetted officer on his next visit, for his signatures. In every case the entries both for registering names and for striking them off shall be signed by gazetted officers during their periodical inspections. In the case of a proclaimed offender, if his name has been struck off the Proclaimed Offenders' Register following his arrest, the name shall be automatically struck off Book No. X and History Sheet filed with the Personal File. If, however, during his flight there have been complaints against his character, it would be the option of the gazetted officer to retain him on No. X. If he uses this option against the bad character, the name after being struck off Part I (i) shall be entered in Part II (i) and his movements shall thenceforth be placed under surveillance.

NOTE.—'Police Surveillance,' as used in this and the pages next following shall comprise of such close watch over the movements of the persons under surveillance by Police Officers, *Patels* and *Mukhias*, as may be practicable without any illegal interference.

Surveillees Under Section 452 J. C. P. C. (565 C. P. C.).—(1)
When at the time of passing sentence of imprisonment on any person,

the Court also directs that his residence after release be notified for the term specified in such order, such person shall occupy with and be subject to the Rules next following.

(2) Every convict in regard to whom an order has been made under Section 452 J. C. P. C. (565 C. P. C.) shall, not less than 14 days before the date on which he is entitled to be released, notify to the Officer-in-charge of the Jail, or other place in which he may for the time being be confined, of the place at which he intends to reside after his release.

(3) Whenever any released convict intends to change his place of residence from the place in which he intended to reside, to any other place, he shall notify the fact of such intention and the place at which he hereafter intends to reside, not less than 24 hours before he so changes his residence, to the Officer-in-charge of the Police Station within the jurisdiction of which he resides at the time when he notifies his intention to change the residence.

(4) The Officer receiving a notification to this effect shall appoint such period as may be reasonably necessary to enable the convict to take up his residence in the place notified. If the convict does not take up his residence in such place within the period so appointed, he shall, not later than the day following the expiry of such period, notify his actual place of residence to the Officer-in-charge of the Police Station within the limits of which he is residing.

(5) Every released convict shall, within 24 hours of his arrival at the place of residence, notify the fact of such arrival to the Officer-in-charge of the Police Station within the limits of which such place of residence is situated.

(6) In notifying place of residence under these rules released convicts shall:—

(a) if the place of residence is in a rural tract—specify the name of the village, hamlet or locality of such place, and the name of *Thana* and district within the limits of which such place is situated;

(b) if the place of residence is in a town or city—specify the name of the town or city and the street, quarter and sub-division of the town or city within the limits of which such place is situated;

(7) Every notification shall be made by the convict personally

at the Police Station.

Provided that, if from illness or other unavoidable cause any released convict is prevented from making any notification required by these rules personally at the proper Police Station, he may do so by written communication addressed to the Officer-in-charge of the Police Station. This communication shall state the cause of his inability to attend in person at the Police Station, and shall, before it is transmitted to the Police Officer, be attested by a Patel, Mukhia or other village officer, *e.g.*, a Patwari or a Taluqdar.

(8) An absence of one night or more will be considered to constitute a change of residence, except when the absence is due to a summons issued by a Civil, Criminal or Revenue Court, or due to an order issued by Police or other competent authority.

(9) In cases in which at the time of notifying "change of residence" a released convict reports his intention to return to the existing residence within a period of one month, such change shall be called "Temporary change of residence."

(10) When the Superintendent of Police receives an intimation from the Officer-in-charge of the Jail of an intended place of residence, he shall at once forward a copy thereof to the Officer-in-charge of the Police Station within the jurisdiction of which such place is situated.

This officer will, immediately on the arrival of the released convict, report the date thereof to the Superintendent of Police.

(11) When a released convict notifies a change of residence or a temporary change of residence to the Officer-in-charge of a Police Station, the particulars of change shall be reduced to writing in the form given in appendix and sent to the Station House Officer to whose jurisdiction the change is intended to be made, a copy of the same being delivered to the convict. The latter officer, on arrival of the released convict, will fill in column 6, and in the case of the residence being of a permanent character, will at once return the form to the Police Station from which he had received it. In case the residence is of a temporary character, the S.H.O. will retain the form until the convict reports his departure, when column 7 will be filled in and the form returned to the Police Station of issue.

(12) On arrival at the Police Station within the jurisdiction of which his new residence is situated, the released convict shall forth-

with produce his copy of the form and get the date of his arrival entered in column 6. In case of a permanent change of residence, his copy will be returned to him at once. In the case of a temporary change of residence it will be kept until the date of departure is reported, when column 7 will be filled in and the copy returned to the released convict for being made over to the officer from whom he had originally received it.

It may be noted that breaches of these rules on the part of the surveillances have been made punishable under Section 165 J. P. C. (176 I. P. C.).

History Sheets.—A History Sheet shall be opened for every person whose name is entered in the Surveillance Register.

A History Sheet may be opened by, or under the written orders of a Superintendent of Police for any person not entered in the Surveillance Register who is reasonably believed to be habitually addicted to crime or to be an aider or abettor of such persons.

The History Sheets shall be kept in two separate bundles, as follows:—

Bundle A.—Containing History Sheets of persons whose names are entered in the Surveillance Register.

Bundle B.—Containing History Sheets of persons whose names are not entered in the Surveillance Register and which have not been removed to Personal Files.

In each bundle, the History Sheets of each village shall be kept in a separate cover on the inside of which a list of the History Sheets pertaining to the village with their index and serial numbers shall be maintained.

Gazetted Officers and Circle Inspectors shall personally check the entries in History Sheets by local enquiries during their inspections and village tourings.

The History Sheet of a person who is no longer addicted to crime may be transferred to his Personal File under the orders of a Gazetted Officer.

The History Sheet and Personal File of a person who takes up his residence permanently in another Police Station jurisdiction shall be transferred to such Police Station under the orders of a Gazetted Officer.

The History Sheet and Personal File of a person who dies shall

be destroyed after the Superintendent of Police has personally verified the death.

Personal Files.—A Personal File shall be maintained for each person for whom a History Sheet has been opened and also for such other suspicious persons regarding whom it is desirable that a record shall be kept. Personal Files shall consist of Bad Character Rolls, papers connected with information sheets and other incidental papers.

All Personal Files shall be paged and indexed.

The Personal Files of persons for whom History Sheets have been opened shall be given the same serial numbers as the History Sheets and kept separately in three bundles as follows:—

Bundle A.—Containing Personal Files of persons whose names are entered in Register No. X.

Bundle B.—Containing Personal Files of persons who though not entered in the Surveillance Register have History Sheets running in Bundle B.

Bundle C.—Containing Personal Files of persons whose History Sheets are no longer in running and have since been filed in their Personal Files, as a result of improvement noticed in their characters, or in the case of Proclaimed Offenders, as a result of their arrests.

The Personal Files of persons for whom no History Sheets exist shall be kept in a separate bundle known as *Bundle D.* These files shall not be numbered, but a list of them shall be kept in the bundle and they shall be arranged according to *Dchi* numbers.

To prevent undue accumulation of useless Personal Files, the Superintendent of Police may order destruction of the Personal File of any person who has been of good behaviour continuously for seven years and the upkeep of his personal file appears unnecessary.

The record of History Sheets and Personal Files is strictly confidential and has been protected by law from being perused by Courts or by parties. In cases of bad livelihood, however, it is our own interest to exhibit this record in Courts, without which suspicions and absences are ordinarily difficult to prove. In such cases, therefore, History Sheets and Personal Files may be exhibited if it is in the interest of the case, but the Inspector-General's sanction shall first be obtained in each case, which is a legal obligation.

Book No. 10-A.—

Bad Character Rolls.—Upon receipt of information that a person who is under surveillance is absent from his home or residence, the Officer-in-charge of the Police Station shall send a bad character roll from this book to the Officer-in-charge of the Police Station to whose jurisdiction such person is believed to have gone.

The officer, receiving the bad character roll, shall acknowledge its receipt and shall take steps to ascertain whether the bad character has arrived within his jurisdiction, and if so, shall arrange to have his movements watched.

A note of his movements and doings shall be made in the roll and if he moves on to another Police Station, the roll shall be forwarded to such Police Station and the same procedure followed.

When the roll is received back in the Police Station, a note of any useful information recorded therein shall be made in the History Sheet and the roll filed with the Personal File, the acknowledgment referred to above being attached to the foil of the Bad Character Roll.

Book No. 11.—

Index to Personal Files.—This book is a permanent index of History Sheets and Personal Files maintained at a Police Station. It is divided into two parts, known as Part I and Part II. Part I shows entries in order of the dates on which the History Sheets are started and Part II, their names according to alphabetical order. Column 1 of Part I is intended for the permanent number allotted to the History Sheet and Personal File and column 2 for the name and particulars of the bad or suspicious character, as the case may be. Column 3 will show the residence of the bad character and column 4 the date of starting his History Sheet, column 5 will mention whether his History Sheet is in Bundle A, B or C and column 6 the date of destruction or transfer of the History Sheet, with initials of the Gazetted Officer who has ordered the destruction or transfer as the case may be, affixed in column 7.

A number once allotted to a History Sheet shall not be altered when the History Sheet is transferred from one bundle to another and shall not be re-allotted until the History Sheet is destroyed or transferred to another Police Station. In the event of transfer, the number

allotted will fall vacant and the Police Station to which it has been transferred will give it one of their own vacant numbers. The same course is adopted in cases of destruction of History Sheets, which have been ordered by the Gazetted Officers in cases of deaths or in cases of continuous good behaviour for seven years or more. In both the cases, the number which has fallen vacant following the destruction or transfer, as the case may be, will be allotted to the next name coming up for entry in this Register, for whom a new History Sheet has been ordered. Thus one number may be operated upon several times and therefore it is desirable that a sufficient space should be left under each name to allow of subsequent changes if and when ordered. This index is intended only for such of the Personal Files as bear History Sheets either in Bundle A, B or Bundle C. For other Personal Files to which no History Sheets have been attached, a separate index is maintained in the order of villages according to 'Dehn Numbers.' No separate numbers are allotted to the Personal Files which have no History Sheets running in any of the three bundles.

Part II of this Register is only an alphabetical index of the names entered in Part I and calls for no remarks or explanations.

Book No. 12.--

Intimation Sheets Despatched.—This Register is a record of Intimation Sheets sent to other Police Stations against residents of their villages. Two classes of Intimation Sheets are required to be submitted, one for persons suspected in specified cognizable cases and the other for suspicious strangers.

If a person belonging to a foreign jurisdiction has been reasonably suspected in a case made up of Scheduled offences and has not been challaned for want of proper proofs or having been challaned has been discharged or acquitted in Court and the case against him has not been cancelled by the Magistrate, an Intimation Sheet shall be sent out to the Police Station concerned from this Register. Similarly if the Police come across a suspicious stranger, who is a resident of a foreign jurisdiction, an Intimation Sheet shall be sent out to the *Thana* concerned under head '*Ajuabi*.' In both the cases separate forms shall be employed for every person although more than one person may have been suspected together in one case or found together under suspicious circumstances at one place. The necessity for separate forms

is apparent, because eventually, in majority of cases they form part of the Personal Files at their Home Police Stations which are maintained individually for every suspicious character.

The correct procedure is, that an Intimation Sheet should be issued as soon as the case concerned is closed and not at any intermediary stage of the investigation. The reply when received shall be copied on the back of the foil and sent back to the Home Police Station for record in the Personal File of the person concerned or for starting a new Personal File if none exists already. If the person regarding whom an Intimation Sheet has been issued is found on enquiry to be of good character and the opening of a Personal File is considered unnecessary, the papers shall be retained at the Police Station which issued the Information Sheet and shall be destroyed after the necessary note has been made in Register No. 12.

If the residence of a suspect cannot be traced, the papers shall be filed at the Police Station from which the Intimation Sheet was issued.

Book No. 12-A.—

Information Sheets Received.—This book is a record of the Intimation Sheets received from other Police Stations. As soon as a Sheet is received against a resident of the *Ilaga*, it shall after registration of the case in Book No. IX, Part III, be copied in Book No. 12-A, and a reply sent as to his antecedents. After copying the reply on the back of the foil, the Police Station concerned will send back the original form for such action as may be deemed necessary. If the suspicion has been reasonably made, a Personal File must be started straightway, irrespective of his previous antecedents. If over and above this case, his antecedents also are reported to be bad, a History Sheet shall invariably be started and in still worse cases, the name may be entered in Book No. 10 and surveillance started forthwith if the Superintendent of Police so decides. The general principle with regard to suspects and criminals is that men with one reasonable suspicion or conviction should have a Personal File, with two, a History Sheet in Bundle B, and more, a History Sheet in Bundle A.

Book No. 13.—

Thana Minute Book.—This book is the Minute Book of the Police Station for remarks by Gazetted Officers of Police. The

Form No. 14.—

Inspection Reports.—This book is a permanent record of the formal inspections made by Gazetted Officers, of Police Stations under their charge. These are prepared quarterly and if for any reason, a Gazetted Officer-in-charge of the District is not able to visit a Police Station in a particular quarter he must do so during the ensuing quarter and shall not on any account allow more than six months to elapse between his two inspections. In the latter case, the Superintendent shall prepare two tables of statistics instead of one, while his notes and remarks with regard to state of crime and other matters may be common for both the quarters.

Below the figures of theft and burglary which are the staple crimes of the State and are the principal offences on which inspecting officers should base their opinions about the working of their Police Stations, figures of the corresponding periods of the last year may also be shown in red.

Every Inspection Report prepared by a Superintendent of Police shall be forwarded to the Inspector-General along with a confidential note on the honesty and character of the Station House Officer and his staff. The latter shall be enclosed in a separate sealed cover and appended to the report.

The Inspector-General after noting the contents of the report will forward the same to his P. A. for being noted in the check list;

the latter will return it to the Superintendent of Police with I. G.'s and D. I. G.'s remarks, for record at the Police Station. The note referred to above shall be retained by the I. G. in his personal custody. The Superintendent of Police before forwarding the report to the Police Station shall record instructions for the Station House Officer, for compliance with the I. G.'s and D. I. G.'s marginal notes.

Book No. 15.—

Register of Licensees.—This book is maintained to show names and particulars of various licensees, to whom licenses have been granted under the Local Special Laws of Excise, Explosives, Petroleum, Poisons, Arms and *Serais*. The lists of licensees are supplied to Police Stations by the *Nazims* of Districts concerned in the beginning of every year and are required to be copied into this Register within 7 days of their receipt. The office of the *Nazim* often takes a long time to draw up copies for the Police and it is always better if the Superintendents depute one of their own clerks to go and bring copies from the *Nizamat* Registers which can be divided off by *Thanas* in their own offices and sent out to Police Stations concerned without any unnecessary delay.

Book No. 16.—

Cash Book.—This book deals with the State money and is maintained in two parts for permanent advance and other cash.

At the end of each month, monthly balances shall be struck under the signature of the Station House Officer both in this and the Daily Diary Registers.

Book No. 17.—

Case Property Register.—This book is maintained to show admissions in and removals from the Store-Room of properties connected with cases. The prescribed form does not contain any column for the number of F.I.Rs. which may, therefore, be quoted in the remarks' column in cases in which the property is connected with cognizable offences. Entries in this register should be punctually made at the time of despatch or receipt of the property, as the case may be, after mentioning the necessary details in the Daily Diary under an independent report, number of which should be quoted in column 2 in cases of receipts and in column 8 in cases of despatch.

Book No. 18.—

Road Certificates.—A bound file of road certificates in foil and counterfoil containing sufficient certificates to last for three months, shall be issued to each Police Station.

Each certificate shall be given an annual serial number for each Police Station and, when, returned receipted, the counterfoil or the receipt in lieu thereof or the counterfoil of Prosecutor's or other Police Station's Road Certificate issued by them by way of acknowledgment, shall be pasted on to the foil. It should be remembered that a Road Certificate is only an acknowledgment and not a receipt.

Book No. 19.—

Receipt Book.—Receipt Books, in foil and counterfoil, each containing 100 receipt forms, shall be issued to all Police Stations.

The pages of such books shall have printed serial numbers and only one such book shall be in use at a time.

It shall be the duty of the Station Clerk to count and stamp with the Station seal the receipts in the book before bringing them into use. Any receipt missing or bearing a wrong printed page number shall, before the book is brought into use, be brought to the notice of the Station House Officer who shall record the fact in the Daily Diary, before starting the book.

For all sums of money received in a Police Station, whether in cash or otherwise on any account whatever, a receipt from this book must be issued to the remitting party under the signature of the Station House Officer or the Station Clerk. The officer signing the receipt shall satisfy himself that necessary entry has been made in the cash book at the time of closing the day's account.

The road certificate, if any, received with the money shall be pasted to the foil of the receipt book in the receiving Police Station and the receipt issued in lieu thereof shall be pasted in the remitting office in place of the counterfoil of road certificate.

Thana Lists.—The following lists shall be hung up at each Police Station and each Outpost:—

- (1) List of Proclaimed Offenders.
- (2) List of Married Police Officers.
- (3) Important Standing Orders.
- (4) List of Fairs and Festivals held in the jurisdiction.
- (5) Lists of Licensees of *Sarais*, Explosives, Poisons, Petroleum and Excise.
- (6) List of Newspapers and Periodicals, if any, issued from the jurisdictions.
- (7) List of Press-houses, if any, situated in the jurisdiction.
- (8) List of Drinking-houses.
- (9) List of Brothels.
- (10) List of Returns and Statements due from Police Stations, with dates on which each falls due.
- (11) List of Tazimi Sardars living within the jurisdiction.
- (12) List of Court Holidays.

Age of Thana Registers.

Book No. 1	..	First Information Report	..	Permanent.
Book No. 2	..	Daily Diary	..	May be destroyed two years after the date of the last entry.
Book No. 3	..	Standing Orders	..	Shall be revised every September by the Superintendent of Police.
Book No. 4	..	Absconders Register	..	Permanent.
Book No. 5	..	Correspondence Register	..	May be destroyed seven years after the date of the last entry.

Book No. 6	..	Copies of Inquest reports, etc.	..	May be destroyed seven years after the date of the last entry.
Book No. 7	..	State Property Register	..	Permanent.
Book No. 8	..	Criminal Tribes Register	..	Permanent.
Book No. 9	..	Village Crime Note Book	..	Permanent.
Book No. 10	..	Surveillance Register	..	Permanent.
Book No. 10-A	..	Bad Character Rolls	..	Permanent.
Book No. 11	..	Index to Personal Files	..	Permanent.
Book No. 12	..	Intimation Sheets Dispatched	..	May be destroyed seven years after the date of the last entry.
Book No. 12-A	..	Intimation Sheets Received	..	May be destroyed seven years after the date of the last entry.
Book No. 13	..	Minute Book	..	Permanent.
Book No. 14	..	Inspection Reports	..	Permanent.
Book No. 15	..	List of Licensees	..	May be destroyed one year after the expiration of the period for which the licenses were granted.
Book No. 16	..	Cash Book	..	Permanent.
Book No. 17	..	Case Property Register	..	Permanent.
Book No. 18	..	Road Certificates	..	Permanent.
Book No. 19	..	Cash Receipts	..	Permanent.
		History Sheets	..	Permanent.
		Personal Files	..	Permanent subject to proviso mentioned under head "Personal Files."

Inspection of Books by Station House Officer.—Both the Station House Officer and the *Moharrir* have been held responsible for the proper upkeep of Thana Registers, but because the Station House Officer cannot make all the entries personally by reason of his outdoor duties, he must inspect all these books on an available day within the first week of every month and affix his signatures below the last entry of each Register, to show that this has been done. He shall record the fact of having made this inspection in the Daily Diary in red ink, and shall state therein, the present condition of books and the capacity and capability of the *moharrir* to maintain them, also giving a detail of mistakes which have been corrected by him during the inspection and of those which still require to be put right by the *moharrir*; within one week of the inspection, the latter shall record a report in red in

the Daily Diary stating whether he has rectified the errors pointed out by the Station House Officer.

Record of Reporting Posts.—At each reporting Police Post the following records shall be maintained by the Officer-in-charge who shall invariably be a literate Head Constable:—

1. Register No. II.—Daily Diary.
2. Register No. III.—File of Standing Orders.
3. Register No. IV.—Absconders' Register.
4. Register No. Nil.—Proclaimed Offenders' Register.
5. Register No. V.—Correspondence Register.
6. Register No. VII.—State property and Employees' Register.
7. Register No. VIII.—Criminal Tribes Register in both the parts.
8. Register No. XIII.—Minute Book.
9. Register No. XVI.—Cash Register.
10. Register No. XVII.—Case Property Register.
11. Register No. XVIII.—Road Certificate.
12. Register No. XIX.—Receipt Book.

These registers shall be maintained in the manner prescribed for Police Station Registers and shall be checked at least once in a month by the Station House Officer concerned, who shall place his signature below the last entry of each register at the time of checking.

Reports of non-cognizable cases made at the Post shall be recorded in the Daily Diary in the same manner as prescribed for such reports made at Police Stations.

Reports of cognizable cases shall be recorded in full in the Daily Diary, *i.e.*, a word to word copy of the statement of the complainant or the informant as the case may be.

The original statement shall be reduced to writing on a separate piece of paper and shall bear the endorsement of *Karrawai* Police and signatures of the complainant and the Head Constable in charge just as is done in the case of F.I.Rs. registered at Police Stations.

For evidential purposes this piece of paper shall be deemed to be the First Information Report as required by the provisions of Section 148 J. C. P. C. (154 C. P. C.), and shall be treated as an original document as defined in Section 61, Jaipur Evidence Act (62 I. E. A.)

In Court, this document shall be proved by the Head Constable in charge of the Post who framed it without being confirmed

by the Station House Officer, or any other officer attached to the Police Station. No attempts need be made to produce both the S.H.O. and the Head Constable in charge for proving the same F.I.R., as such a repetition besides involving waste of time is likely to create discrepancies in the statements and may do more harm than good.

After the statement has been recorded in the manner prescribed above and after it has been duly incorporated in the Daily Diary, it shall be forwarded with the Dak of the day to the Police Station concerned, where it shall be transcribed into the F.I.R. Register in the usual way and dealt with according to law.

In cases of Special Reports, the Officer-in-charge shall observe the rules laid down for despatch of such reports from Police Stations and shall make out separate copies of the report for the I. G., the Superintendent of Police and the Circle Inspector which shall be despatched by him straight, the original being sent to the Police Station as in all other cases.

CHAPTER III.

Investigation.

Investigations entrusted to the Police are of three kinds, namely:—

- (1) Investigations into cases of cognizable offences under Section 150 J. C. P. C. (156 C. P. C.).
- (2) Investigations into cases of non-cognizable offences under Section 194 J. C. P. C. (202 C. P. C.) or 149 (2) J. C. P. C. [155 (2) C. P. C.] as the case may be.
- (3) Investigations into cases of unnatural deaths under Section 167 J. C. P. C. (174 C. P. C.).

Initiation of Investigations.—Powers to investigate cognizable cases have been vested with the Police by the provisions of Sections 150 and 151 of J. C. P. C. (156 and 157 C. P. C.).

As soon as a report is received of the commission of a cognizable offence within the jurisdiction of a Police Station, a case shall be registered in the manner prescribed in Chapter II and investigation started by the Senior Officer present at the Police Station, without any delay.

Scenes of Occurrences.—Arriving at the spot, the Police Officer shall carefully and minutely examine all the objects on and around the scene of occurrence and shall pick up and collect all the available evidence especially with regard to:—

- (a) Foot prints, if any, which should be carefully preserved or casts made out in the manner hereinafter mentioned.
- (b) Impressions of fingers, if any, visible on glass and wood works, which should be photographed after being deciphered by application of white or grey powder, as the case may be.
- (c) Stains of blood or semen, if any, visible on the ground or on any object; which should be carefully secured, packed, sealed and despatched in the manner mentioned in Chapter IV. If the stains are on the ground, a reasonable portion

of earth bearing such marks shall also be packed and sent to the Chemical Examiner.

- (d) Liquids, vomits, excrements, poisons, and stupefying drugs, if any, which shall be likewise packed and sealed.
- (e) Weapons of offence, if any, which appear to have been used in the commission of the offence. These shall be weighed and sketched and thereafter made into parcels in the manner prescribed in Chapter IV.
- (f) Marks of struggle, if any, which should help in locating scenes of incidents connected with the case.
- (g) In case of burglaries, the dimensions and shape of the hole which should help the investigation to locate the offenders by means of comparison with the *modus operandi* of the known criminals.
- (h) In case of burglaries, also the features of cuts or chisel marks appearing on the bricks or stones of the broken wall or roof, as the case may be; which should help the investigation in forming an opinion as to the kind of house-breaking implement used. If one has been found on the spot, or in case of arrests, on the person of the accused such marks and cuts shall be compared with those made by the recovered implement and a memo of comparison drawn up for evidential purposes.

From the circumstances and the dimensions and shape of the hole and cuts, as also from the evidence of finger and foot impressions, if available, the investigating officer should, if he is a well-informed officer and is acquainted with the *modus operandi* of the local and neighbouring criminals, be able to chalk out a line of suspicion at this stage, which may be followed thenceforth. If tracks are present, a hot pursuit shall be led personally by the investigating officer with all possible haste. A tracker, if available, shall invariably be employed in such cases to follow the tracks with the Officer-in-charge and a subordinate left at the spot for attending to preliminaries and formalities of the investigation.

If the crime is a heinous one and appears from *modus operandi* and other pieces of evidence to have been committed by professionals or habitual offenders, the Officer-in-charge of the investigation shall, besides taking other active action, immediately issue Hue and Cry

notices for the apprehension of such offenders, to all the Police Stations in the jurisdiction of which they are likely to be found.

After drawing up a sketch of the scene, the investigating officer shall carefully note in the Case Diary, all the features of the spot and thereafter set on to collect other evidence.

Case Diaries.—The Case Diaries shall be as brief as possible and shall not be encumbered with lengthy explanations and theories. These shall be written day to day and only such of the incidents of investigations should be mentioned as have a direct bearing on the case because the object in making an investigation is only to discover the actual facts of the case and not to render explanations of the manner in which the day has been spent. Nor should the investigating officer jump to conclusions prematurely. He shall proceed with caution in forming opinions and must abstain from committing himself to any view of the facts for or against any person until and unless both the sides have been fully heard and all the evidence has been carefully and methodically sifted out.

He shall record statements of all persons who appear to be acquainted with the circumstances of the case and shall concisely and clearly record in the Case Diary, the steps taken by him for ascertaining the circumstances and facts connected with the offence and other information required by Section 165 J. C. P. C. (172 C. P. C.).

Method of Recording Witnesses' Statements.—*Zimmies* are our privileged records, protected under Section 165 J. C. P. C. (172 C. P. C.) against exhibition in open Courts and may safely contain confidential information with regard to the mode of our investigations. The only precaution needed is that statements of witnesses, including the complainants, shall be recorded in the first person on separate pieces of paper under Section 154 J. C. P. C. (161 C. P. C.), and appended to the *zimmies* as independent documents, with only their briefs incorporated in the body of the Case Diary concerned.

We are legally bound to produce in Court, the written statements of persons examined by us, for contradictory purposes under Section 141 of the Jaipur Evidence Act (145 I. E. A.), and the defence counsels have a legal right to confront the witnesses with such statements during the course of their cross-examinations. It is, therefore, absolutely necessary that we should have them handy and detachable during trials, so as to avoid the remotest chance of the *zimmies*

or copies thereof, being referred to, by the trying Court or the witnesses concerned in the event of a requisition from the defence side.

If for any reason complete lists of stolen property and descriptions of the stolen articles have not been incorporated in the F.I.R., complainant's subsequent statement should be recorded on this point on a separate piece of paper and appended to the First Case Diary, which could be detached and produced in Court without having to refer to the Case Diary. Similarly all points which we care to prove in Courts should be incorporated in independent statements recorded under Section 154 J. C. P. C. (161 C. P. C.) with only briefs noted in the Case Diaries.

Method of Recording Accused's Statements.—Another important point worthy of mention is the method of recording statements of accused persons in the Case Diaries. It is no longer a secret that Police have no powers whatsoever, under any law in force for the time being, to summon accused persons to their presence. Our legal powers are confined to making their arrests without questioning or interrogating them in advance. Although the *zimmies* are our privileged records and cannot be seen by the parties concerned, the trying Magistrates have every right to peruse them under Section 165 J.C.P.C. (172 C. P. C.). Great care should, therefore, be taken not to make any commitment in this respect in the course of writing *zimmies*. The only way out of the difficulty is to summon the accused as a person appearing to be acquainted with the facts of the case which is our right under Section 153 J. C. P. C. (160 C. P. C.), and after his statement has been recorded and he has been interrogated and examined on the relevant points, he may be shown and treated as an accused person, if arrested, or as a witness, if released. The word '*Mushtaba*' (suspect) usually employed in *zimmies* shall be carefully avoided in future.

Method of Recording Arrests.—Besides quoting the section of law under the authority of which, an arrest is being effected and the proofs which justify it, the following points shall necessarily be mentioned in the Case Diary, at the time of making an arrest:—

- (a) Name, particulars and full description of the accused, including any boil mark, deformity or any other distinctive feature of his body.

- (b) Details of articles recovered from the search of his person conducted under Section 40 J. C. P. C. (51 C. P. C.).
- (c) Compilation of memo of "*Jama Talashi*."
- (d) Submission of intimation card to the *Nazim* under Section 51 J. C. P. C. (62 C. P. C.), and another card to the Personal Assistant to the Inspector-General of Police.
- (e) Despatch of *Naqsha Tusdiq Sakunat* to the Home Police Station, if his residence is outside the jurisdiction.
- (f) Submission or reasons for non-submission of Search Slips.
- (g) Specification of injuries, if any, found on his person at the time of arrest.
- (h) State of his health at the time of arrest.
- (j) Name and address of the woman employed to search under Section 41 J. C. P. C. (52 C. P. C.) in case of female accused.
- (k) Specification of blood or semen stains, if any, visible on the clothes worn by the accused person at the time of arrest.
- (l) Dimensions, description, weight and sketch of the weapons or house-breaking implements, if any, found on his person at the time of arrest, and seized under Section 42 J.C.P.C. (53 C. P. C.).
- (m) Names of witnesses before whom the search of the accused is conducted and who have signed the memo of search and other documents, if any, recovered from his pockets during the course of the search.

Method of Recording Searches.—The most essential points which must be recorded in *zimmies* in connection with house-searches are:—

- (a) Method of *Durbandi* and description or device of seal employed to secure the locks.
- (b) Names of sentries deputed to guard the entrances, exits, windows, ventilators and tops of the houses.
- (c) Preparation of *Durbandi* memo bearing signatures of the sentries and the in-charge.
- (d) Names of search witnesses summoned under Section 101 J. C. P. C. (103 C. P. C.).
- (e) The fact of the inmates having been searched before com-

mencement of the search under Section 100 (3) J. C. P. C. [102 (3) C. P. C.], and name and address of the woman employed to search female inmates under Section 41 J. C. P. C. (52 C. P. C.).

- (j) Name of the Police Officer who actually conducted the search and the fact of his own person having been searched by the witnesses both on entering and leaving the house.
- (g) List of articles recovered with exact detail of places from which recoveries have been made and compilation of memos of house and person searches prepared under Sections 101 (2) and 101 (4) J. C. P. C. [103 (2) and 103 (4) C. P. C.], respectively.
- (h) The fact of search witnesses having signed the documents, if any, recovered from the house.
- (i) Dimensions, description, weight and sketch of the weapons or house-breaking implements, if any, recovered from the house-search.
- (k) Description and weight of pieces of jewellery recovered from the house-search.
- (l) Taste, form, colour and weight of any substance recovered from the house, which is suspected to be a poison or a stupefying drug.
- (m) Method of disposal of the recovered articles, whether sealed and packed or taken without being secured and in the first case, the device of the seal used.

Parwanas.—*Parwanas* connected with investigations received from supervising officers, as also replies sent thereto, shall be incorporated in the body of *zimmies* concerned and attached as accompanying documents. From secrecy point of view these *Parwanas* shall be treated with the same care and consideration as the Case Diaries and shall not on any account be mentioned in Book No. 2, Book No. 5 or any other open record.

Processes Issued by Police.—*Hukamnama Talbi.* If a person who appears to be acquainted with the circumstances of a criminal case, may he be on the prosecution side or interested in the defence or the suspect himself, is required to be examined by the investigating officer, he should be regularly summoned to his presence by means of a writ known as '*Hukamnama Talbi*' issued in duplicate under Section

153 J. C. P. C. (160 C. P. C.). This will be served by a constable who will leave one copy with the person summoned or in his absence with an adult male relation as prescribed for court processes in Sections 58 and 59 J. C. P. C. (69 and 70 C. P. C.). If service cannot by the exercise of due diligence be effected in the aforesaid manner, the constable shall affix a copy to some conspicuous part of the man's house as prescribed for Court's summons in Section 60 J. C. P. C. (71 C. P. C.). The duplicate shall be brought back to the issuing authority with the signatures of the man concerned in the former case or those of a *Patch's* or of a *Mukhia's* in the latter.

"*Hukamnama Giriftari*."—Similarly when a person is required to be arrested outside the view of the investigating officer, a constable shall be deputed with a writ known as "*Hukamnama Giriftari*" under Section 45 J. C. P. C. (56 C. P. C.) which will be served in the manner prescribed in Chapter VI.

"*Hukamnama Talashi*."—In case a search is required to be made in a village different from the one in which the offence has occurred and the investigating officer is not free to go and conduct it in person, he shall depute a subordinate Police Officer with a writ known as "*Hukamnama Talashi*" issued under Section 158 (3) J. C. P. C. [165 (3) C. P. C.] which will be served in the manner prescribed below under sub-head "House-Searches."

Such officer shall carry with him a complete list of stolen property with detailed descriptions of each article as required by the provisions of Section 158 J. C. P. C. [165 (3) C. P. C.]. If the jurisdiction is foreign, he will also bear a requisition from his Station House Officer issued under Section 159 (1) J. C. P. C. [166 (1) C. P. C.] which he will deliver in the hands of the Station House Officer concerned and the latter thereupon will be bound to go and conduct the search in the manner prescribed in Section 159 J. C. P. C. (166 C. P. C.) which is his legal obligation under Section 159 (2) J. C. P. C. [166 (2) C. P. C.].

House-Searches.—The power of making house-searches as vested in us by the provisions of Section 158 J. C. P. C. (165 C. P. C.) is permissive and not obligatory and remains so even though a complainant or a witness has made definite suspicions against a named individual.

The spirit of law in this behalf is that this authority shall be

exercised only in cases in which no other alternative exists and after a full and an exclusive responsibility has been undertaken by the Police. Section 158 J. C. P. C. (165 C. P. C.) distinctly lays down that the Police may on reasonable grounds effect a search but shall, before doing so, render an explanation to the *Nazim* by means of a note drawn up under Section 158 (1) J. C. P. C. [165 (1) C. P. C.] detailing reasons for the search, a copy of which can also be demanded on payment by the person whose house is being searched, *vide* Clause (5) of Section 158 J. C. P. C. [165 (5) C. P. C.]. The words "may" and "shall" occurring in this section bear wide meanings, according to which the responsibility of the action and the liability of the consequences is borne entirely by Police unshared by the complainants or the witnesses. The Police, therefore, shall proceed with

and in that case shall deliver to such subordinate officer an order in writing as required by Clause (3) of the said section, specifying the place to be searched and as far as possible, the thing for which search is to be made. The subordinate officer so directed may thereupon search for such things in such place in the manner prescribed in Section 158 (1) J. C. P. C. [165 Clause (1) C. P. C.] under the authority vested in him under Clause 3 of this Section.

If the place is outside the jurisdiction of the investigating *Thana*, the investigator shall also send a written requisition to the Station House Officer concerned as prescribed in Section 159 (1) J. C. P. C. [166 Clause (1) C. P. C.], unless the delay resultant from this lengthy procedure is likely to damage the evidence, in which case he can go and conduct the search in person or cause it to be searched by a subordinate under Clause 3 of this section anywhere within the Jaipur territory after sending an additional copy of the record of reasons prepared by him under Section 158 (1) J. C. P. C. [165 (1) C. P. C.], and a notice of the search as required by the provisions of Section 159 (4) J. C. P. C. [166 (4) C. P. C.], respectively to the Magistrate and the Station House Officer of the *Ilaqa* concerned. After concluding the search conducted in a foreign jurisdiction the Station House Officer shall, besides supplying copies of the memos of recoveries prepared under Section 101 (2) J. C. P. C. [103 (2) C. P. C.] and Section 101 (4) J. C. P. C. [103 (4) C. P. C.] to the owner or the occupier of the building, also send additional copies of the memo to the Station House Officer of the *Thana* concerned, as required by the provisions of Section 159 (4) J. C. P. C. [166 (4) C. P. C.].

The following points among others shall invariably be observed at the time of making searches:—

(1) Two or more respectable inhabitants of the locality shall be called in to witness the search; they are bound by the provisions of Section 101 (1) J. C. P. C. [103 (1) C. P. C.] to respond to this call, in default whereof penalty has been provided in Section 176 J. P. C. (187 I. P. C.).

(2) On arrival at the house which requires to be searched the Officer-in-charge shall make adequate arrangements for guarding the exits and entrances of the house and shall take every possible care and caution to keep the fact of the Police approach concealed from the inmates of the house till these arrangements have been satisfactorily

made.

(3) If any unavoidable delay is foreseen in starting the search a regular "*Farbandi*" shall be made after clearing the house of its inmates who shall before leaving be searched under the provision of Section 100 (3) J. C. P. C. [102 (3) C. P. C.]. In order to guard against any possible attempt at escape of incriminating articles from the house through doors, windows or ventilators as well as against any malicious attempts at introducing and importing any such articles into the house, the doors, windows and ventilators shall be carefully fastened and guarded and the lock of the entrance door carefully secured and sealed from outside.

(4) Before starting the search the Police Officer in charge shall notify his intention of searching the house to its occupier and shall make it known to him as prescribed in Section 84 (1) J. C. P. C. [94 (1) C. P. C.] that if the articles which form the basis of the search are voluntarily produced, no search will be made and that the voluntary production of such articles would create an exculpatory circumstance in his favour so far as the Police investigation is concerned.

(5) If there is no response to the above demand, the occupier of the house shall be called upon to remove the *parda* ladies, if any in the house. The outgoing ladies shall of course be searched under Section 41 J. C. P. C. (52 C. P. C.) read with Section 100 (3) J. C. P. C. [102 (3) C. P. C.], by a *non-parda* woman before leaving the house. If, however, a woman or a man prefers to stay on, he or she as the case may be, shall be allowed to remain present in the house during the course of search, which is their legal right as owners or occupiers of the building under Section 101 (3) J. C. P. C. [103 (3) C. P. C.]. Even in such cases, their persons must be searched under Section 100 (3) J. C. P. C. [102 (3) C. P. C.] and copies of *Farā Jama Talashi* supplied to them as required by the provisions of Section 101 (4) J. C. P. C. [103 (4) C. P. C.]. If ingress is refused or resistance offered, entry shall be made by force as authorised under Section 100 (2) J. C. P. C. [102 (2) C. P. C.] read with Section 37 J. C. P. C. (48 C. P. C.).

(6) Only one or two Police Officers shall be employed to actually search the house and all other officers including the witnesses should wait and watch at the entrance. If, however, any of the wit-

witnesses cares to go in, either of his own wish or at the request of the occupier of the house and voluntarily offers to be subjected to a search of his person, he may be allowed in along with the Police Officer deputed to conduct the search.

(7) The Police Officer and others who actually enter the house for conducting the search shall first be subjected to a search of their own persons taken by the search witnesses and shall as far as possible be stripped of all surplus pieces of dress and contents of their pockets.

(8) The conductor of the search shall place each article (bearing points of resemblance with those wanted) which he has recovered from the house, before the officer in charge and the search witnesses, directly each article is found, with a statement showing exactly the place in the house from which the recovery has been made. He shall resume his work after each such article has been exhibited in this manner and explanation rendered as to the place and position from and in which it is found.

(9) If the complainant or other persons who are capable of identifying the required articles and whom it is proposed to use as prosecution witnesses in the event of recoveries, happen to be present at the time of search, they shall be placed well away from the house in a position which is definitely outside the view of the scene of search. On termination of the search such witnesses may be called in individually and given an opportunity to identify the articles connected with their case.

To ensure a correct identification the recovered articles should be mixed up with so many of similarly shaped others, as can be conveniently arranged, before each witness is called in to identify. The articles which have remained unidentified at the end of the identification and the investigating officer does not need them for evidential purposes in this or any other case, may be returned to the owner without being brought on the memo of recoveries, though a mention of these shall in every case be made in the Case Diary concerned.

(10) Such of the articles as have been duly identified or any others which though not identified, are suspected of being connected with the case in one or the other form, shall be taken possession of under Section 101 (2) J. C. P. C. [103 (2) C. P. C.]. If the recoveries also consist of a weapon, a poison or any other article, possession whereof has been prohibited by law, a separate memo shall

be prepared under Section 412 J. C. P. C. (523 C. P. C.), and steps taken to obtain Magistrate's orders for disposal of the same unless the recovery involves commission of a cognizable offence in which case a *Ruqqa* shall be sent to the Police Station for registration of a case and investigation started separately with regard to the incriminating article thus recovered.

(11) On termination of a search the actual conductors of the search shall before leaving the house be searched again by the search witnesses who shall satisfy themselves that they bear nothing more on their persons than what they had at the time of entering the house.

(12) Each article recovered from a house-search and taken possession of by the Police shall be signed on the scene of search by the search witnesses and the Officer-in-charge unless specification of the article in question is incapable of bearing such signatures or thumb impressions.

(13) When total recoveries have been made, the Officer-in-charge shall draw up an inventory known as memo of search as required by the provisions of Section 101 (2) J. C. P. C. [103 (2) C. P. C.] :—

- (a) mentioning therein particulars, description, specification and special features of the recovered and seized articles,
- (b) detailing reasons for believing such articles to be connected with the case under investigation,
- (c) giving names of search witnesses and of the conductors of search,
- (d) noting the colour, form, weight and if possible also the taste, if any of the recovered articles is a drug, a liquid or is suspected to be a poison, and,
- (e) noting particulars, description and dimensions and also a sketch, in case of weapons of offence or house-breaking implements, if any, recovered from the house.

The memo of search shall be signed by search witnesses which is their legal obligation under Section 101 (2) J. C. P. C. [103 (2) C. P. C.].

Such of the articles as require a chemical analysis shall be packed and sealed in the manner prescribed in Chapter IV.

As directed under Sections 101 (3) and 101 (4) J. C. P. C.

[103 (3) and 103 (4) C. P. C.], the officer conducting a search shall supply copies of search memos signed by the witnesses, if demanded and paid for, to the occupier of the house, by way of a receipt of the articles taken.

The original memo of search shall be retained by the investigating officer and filed with the *challan* papers or the Final Report, as the case may be, after its contents have been duly incorporated in the Case Diary concerned.

Seizure of Property.—The Police shall seize weapons, articles and property in connection with criminal cases and take charge of property:—

- (a) under the implied authority of Section 163 J. C. P. C. (170 C. P. C.), or
- (b) in the course of searches made in Police investigations under Sections 40, 158 and 159 J. C. P. C. (51, 165 and 166 C. P. C.), or
- (c) under Section 147 J. C. P. C. (153 C. P. C.), as regards weights, measures, or instruments for weighing that are false, or
- (d) under Section 439 J. C. P. C. (550 C. P. C.), as regards property alleged or suspected to have been stolen,
- (e) under Section 439 J. C. P. C. (550 C. P. C.), as regards property found under circumstances which create suspicion of the commission of an offence,
- (f) under Section 19 of the Jaipur Police Act (S. 25 I. P. A.), as regards unclaimed property.

Ordinarily the Police shall not take possession of movable property as unclaimed when it is in the possession of an innocent finder, but in the city, the Police may, in compliance with an order issued by a Court under Section 20 or 21 of the Jaipur Police Act (26 and 27 of the Indian Police Act) take possession and dispose of unclaimed property made over to them by innocent finders. Such property shall be entered in the store-room register.

- (g) under the provisions of local and special laws.

Each weapon, article, or other property not being cattle, seized under the above circumstances, shall be marked or labelled on the spot of recovery with the name of the person from whom, and the place from where it was seized also giving a reference of the number of

F.I.R. or of the report of Daily Diary, as the case may be, on the label.

In case the property seized is cattle, immediate steps shall be taken to obtain Magistrate's orders for their disposal. If for any reason such a course is believed to be detrimental to the interests of investigation, the seized animal may be made over to a reliable person on his executing a "*Sapurdgi Nama*" for production of the animal on demand. Only in very exceptional circumstances in which the passing of such animals out of Police custody is attended with a grave danger of the evidence being damaged or destroyed or is likely to derange the investigation they may be impounded in cattle pounds or kept at Police Stations where no cattle pounds have been provided. The expenditure incurred in feeding such cattle shall be recovered from the *Nazim* concerned by means of a judicial bill. On no account shall an owner of the animal or a complainant of the case be made to pay such expenses.

If any of the seized articles require an expert opinion of a medical officer, a veterinary surgeon, a mint-master, a chemical examiner, a serologist, a handwriting expert, a finger-print proficient, a type proficient, a chartered accountant, a firearm expert, a mechanical, electrical, or automobile engineer or a superintendent of press-houses, it shall be made up into a parcel which will be secured with sealing wax bearing the seal impression of a responsible officer and shall be similarly marked or labelled. Such articles or parcels shall be despatched to the Expert concerned under a forwarding Docket issued by the C. P.O.

The Police shall send to Court:—

- (a) all weapons, articles and property connected with cases sent for trial; and
- (b) suspicious, unclaimed and other property:
as soon as possible after the recovery, but if retained in Police custody for investigation purposes, they shall if capable of being so treated be kept in the store-room and entered in the store-room register adding the number of this register entry on the label.

In case of unclaimed property copies of entries of the store-room register shall be sent to the Superintendent who shall take the orders of the *Nazim* concerned as to its disposal. Other properties shall be dealt with as the circumstances of the case concerned require.

Medical Examination of Injured Persons.—In cases of injuries, a statement known as "*Naqsha Mazrubi*" shall be filled in and sent to the Medical Officer along with the injured person, in charge of a Police Officer for treatment and expression of opinion as to the nature and duration of the injury.

In case of serious injuries if the injured person cannot be removed to a Hospital without risk or detriment to his health, the investigating officer shall report the facts by the most expeditious means available, to his Superintendent of Police with a request that a qualified medical officer may be sent to the spot. If the Superintendent of Police endorses the opinion of the investigating officer he shall request the *Nasim* to issue orders for the services of a competent medical officer and the latter will go and attend the injured person on the spot.

In case of a woman, if a medical examination is necessary by reason of injuries on her person or by reason of her having been subjected to rape, she shall be first taken before a Magistrate for record of her consent, without which no living woman can be subjected to a medical examination under the law in force. The same procedure shall be followed in abduction cases, when medical examination is suggested for determination of age. This restriction, however, would not apply to examination of those parts, exposure of which cannot be said to have violated a woman's modesty.

If an accused person stands injured he shall be sent under a proper escort and may not be handcuffed unless the injury is obviously slight and danger of escape or rescue actually exists.

In cases of deaths, the statement of injuries shall be forwarded as an enclosure to *Naqsha A, B or C* as the case may be. It shall not on any account be dispensed with merely because the death statements are being forwarded which contain a similar information.

Police Officers shall not compel injured persons to submit to medical examination. Such persons have a right to be examined privately at their own expense by medical practitioners. "Injury statements" are intended solely for the use of State Surgeons on whom the Police may call for a report. Such forms shall not be given to injured persons for purposes of examinations at their private choice, nor should they be sent with injured persons to State Surgeons of other districts.

Police Officers should refrain from sending persons whose injuries are obviously slight for medico-legal examination, and should exercise their discretion in obtaining a medical opinion as to whether injuries received by complainants constitute a cognizable offence.

If the danger of death is imminent and no Magistrate is available or handy the declaration may be recorded by a Gazetted Officer or Police.

If no Gazetted Officer can be had either, the declaration may be recorded by the senior Police Officer present on the spot in the presence of two or more reliable witnesses unconnected with the Police Department or with the parties concerned in the case.

If no such witnesses can either be obtained without risk of the injured person dying before his statement can be recorded, it may be recorded in the presence of only two or more Police Officers.

A dying declaration made to a Police Officer should under Section 155 J. C. P. C. (162 C. P. C.) be signed by the person making it, but if by reason of ill-health he is incapable of signing the same, a medical certificate to this effect should be obtained where possible and filed with the declaration as its affix.

The original document shall be preserved for production in Court and a copy retained in the case diary.

Confessions.—The procedure of having confessions and statements recorded under Section 157 J. C. P. C. (164 C. P. C.) should not be resorted to, unless such a course has been rendered absolutely necessary by reason of relationship or influence working against the prosecution. Such statements and confessions often reflect adversely on a case and do more harm than good to the prosecution. If due to any special reasons, it is decided to resort to this procedure, the confessing prisoner shall be kept apart from other members of his gang and when taken before a Magistrate, a formal request shall be made that he may be kept segregated until his confession has been recorded and verified.

If two or more persons confess, they should not be allowed to meet one another and their confessions should, if possible, be recorded by different Magistrates.

No attempt should be made to put up accused persons or witnesses at the houses of Magistrates nor on a holiday, for this is a faulty procedure which a Police Officer is often apt to adopt in his anxiety over the case, little realising at the moment that the entire confession or statement, as the case may be, is likely to be invalidated from admission in Courts owing to these irregularities.

It may be noted that a confession recorded under Section 157 J. C. P. C. (164 C. P. C.) can only be used against the person making it or his accomplices under Section 30 E. A., if it bears a magisterial certificate showing that the accused person was duly informed of his freedom in the matter of making such a confession which if so required would be used in evidence against him and that the confession is voluntary, taken in the direct presence and within the personal hearing of the Magistrate and contains a true and full account of his statement which has been read out to and admitted correct by him. It is only this certificate which will secure its validity in the event of the accused's retracting his confession in the course of his trial which generally happens in such cases.

King's Pardons.—If in a case triable exclusively by a Court of Sessions or punishable with imprisonment of 10 years or more or a case falling under one of the Sections of Penal Law mentioned in Section 257 J. C. P. C. (337 C. P. C.) it appears desirable or

necessary to the successful prosecution of the offenders that one or more persons accused of the offence should be admitted as crown witnesses. the Superintendent of Police shall apply to the *Nazim* for the grant of a pardon.

If in a case of this nature an accused person voluntarily informs a N. G. Officer that he is acquainted with, and is desirous of making a full statement of facts in the hope of obtaining a pardon, such Police Officer shall inform him that he is unable to make any promise whatever, but is prepared to hear what he has to say and, if after an enquiry the facts related by him appear to be true and of sufficient importance to justify such a course, to recommend his case to his senior officers with a view to a pardon being granted by a competent Magistrate.

Subordinate Police Officers shall take no steps towards grant of pardons without the previous sanction in writing of a Gazetted Police Officer. The selection of an approver from amongst the lot of accused shall be the personal prerogative of the Superintendents of Police and will not be left to any enrolled Police Officer. The selection of an approver will be made with due regard to:—

- i. his previous antecedents,
- ii. his share in the crime,
- iii. his direct knowledge of the facts constituting the crime.

Superintendents of Police shall exercise due care in making selection of the approvers. On no account should a hardened criminal whose remaining at large is believed to be detrimental to society be granted this privilege, although his testimony may be of the fullest value to the case. Again a principal offender should not be given any encouragement of this kind and the selection should be strictly confined to such of the offenders only, as are not the arch-perpetrators of the crime and yet are in possession of facts, which give the prospect of connecting all the links of the prosecution story, from the stage of preparation to that of commission and completion of the offence, and corroborative evidence whereof is available at least on the essential points, if not on the complete story.

It may be noted that although there is nothing in law to prevent an approver from making a long and detailed statement and the whole, barring of course the irrelevant portions, is eligible for admission in Court as a statement made by a witness, the uncorroborated portions,

if any, cannot be used or considered against the co-accused, because the spirit of law in this connection is that though technically a witness's statement, no more importance shall be attached to such an evidence than to that of an accused person unless ample corroboration has been made of the facts contained in the statement.

Police Notices.—1. When it is considered necessary to record or communicate to other Police Stations information regarding unidentified corpses, missing persons, unclaimed, lost or stolen cattle or other property, notices in the forms given in the appendix shall be prepared and despatched to such Police Stations as the Station House Officer thinks fit, care being taken that only property easy of identification is included.

2. If the matter is urgent the necessary copies shall be made at and despatched direct from the Police Station, otherwise notices shall be submitted to the office of the Superintendent where the required number of copies shall be made by means of duplicating process and despatched without delay to such Police Stations and Posts as the submitting officer may recommend and also if necessary to the office of the Inspector-General for publication in the State Gazette. In addition, in all important cases, information should be communicated to the *chowkidars* visiting the Police Station with a view to its circulation throughout the jurisdiction of the Police Station.

3. Office copies of the notices referred to shall be kept and these, as well as the notices received from other Police Stations, shall, respectively, be given an annual serial number under each class separately and filed for seven years in two bundles, one containing notices of the Home Police Station and the other those received from other Police Stations.

4. Notices shall be compared with a view to tracing missing persons, owners of unclaimed property, establishing identity of unidentified corpses, etc., and results noted in the column of remarks.

5. In the case of similar notices received from other districts or Provinces, Superintendents shall exercise their discretion as to the Police Stations to which they should be circulated and the necessary number of copies shall be made in their own offices if duplicate copies are not received from the forwarding district.

The object of this rule is to reduce clerical labour at Police Stations as far as possible.

Notices of novel or professional offences and memoranda embodying the shifts and artifices of criminals and their *modus operandi* shall be sent for publication in the State Gazette for general information.

Hue and Cry Notices.—It is an important duty of an Officer-in-charge of a Police Station to arrange for the systematic and prompt dissemination of hue and cry notices and intelligence throughout the area in which the offenders or the property or both are likely to be found.

In addition to the agency of the Post Office and village *chowkidars*, special measures for the communication of intelligence shall be adopted in urgent cases and use of telegrams, telephones, taxis and special messengers freely made according as circumstances require.

In every case of dacoity, specially dacoity or robbery with murder, drugging with intent to rob, other serious robbery, or other serious offence endangering the peace of communities the Officer-in-charge of the Police Station concerned shall, unless the offenders are forthwith arrested, send information as rapidly as possible to the villages within his jurisdiction and shall send written vernacular notices known as "*Ishtihar Shor-o-Goga*" in the form given in the appendix, to all neighbouring Police Stations, and to such other Police Stations, whether in the same district or not, as may be deemed necessary, giving all particulars likely to afford a clue to the offenders.

When a written hue and cry notice is sent for publication in another district, only one copy shall be sent and the Superintendent receiving it shall have a sufficient number of copies made for rapid circulation in those Police Stations only where publication of the notice may serve some useful purpose. Such notices shall ordinarily be in vernacular.

In cases of importance in which a reward is offered, and in cases where a clear description of the accused or of the stolen property is available, the Superintendent shall also send a hue and cry notice in the prescribed form (in vernacular and, if necessary, also in English) to the Office of the Inspector-General of Police for publication in the State Gazette.

Photos and Finger Impressions.—Photographs, Search Slips and Casts of finger impressions are three of the necessary ingredients

of Police investigations and should be freely made use of, for evidential purposes and for leading pursuits and tracing criminals.

Photography and finger-printing are arts which can only be acquired by a regular training. Accordingly a provision is being made in the Reserve Lines School for the training of our recruits and students of our Law Class and Refreshers Course in these branches of the Police work.

Finger prints of each person convicted by a local court of an offence under Chapter XII and Chapter XVII of the I. P. C. or under any of the scheduled sections shall be prepared by the Prosecutor on each such conviction and forwarded to the Finger Print Bureau, Mount Abu, for record.

On an arrest if there is any doubt as to the identity of the arrested person or regarding his previous convictions, a search slip shall be prepared by the *Thana* concerned and forwarded to the said Bureau with a view to ascertaining his particulars, antecedents and previous convictions and a note made in the charge sheet, for guidance of the Prosecutor, requesting the court to await the Bureau's reply before a judgement is passed. In case the accused person is a resident of a foreign territory, a search slip shall also be sent to the Bureau of his Province and in case he appears to be a professional or an habitual offender, an additional slip to the Central Bureau, Simla, for ascertaining his all-India criminal activities.

At the time of registration of a criminal tribe's male member, his finger prints shall be taken under the supervision of the Superintendent of Police concerned and sent to the Prosecuting Inspector, Jaipur, for being forwarded to the Finger Print Bureau, Mount Abu, where a regular record of finger-prints of all such members is maintained. In the event of subsequent arrests of members of criminal tribes search slips shall be sent in the manner prescribed above and particulars of previous convictions obtained for proceedings under Section 21 J. C. T. A. (23 C. T. A.). Another obvious advantage of this procedure is that a registered member who is found anywhere beyond the boundaries of his village and is attempting to conceal his identity will be easily spotted through a search slip and proceeded against under Section 20 Criminal Tribes Act, on the strength of the information supplied by the Finger Print Bureau.

Casts and Models.—The models of impressions of footprints

in their finest details are easily and accurately obtained by the use of a composition, which consists of resin mixed with wax or paraffin in suitable proportions, whereby is obtained at a small cost a compound which becomes quite fluid at a temperature below the boiling point of water, and which becomes hard and tough on cooling, and may, without injury to the impression, be washed clean with water. A suitable proportion is "resin two parts, wax or paraffin one part," but experiment will show the precise proportions of the ingredients procurable which give the best results in different classes of impressions and in different climates and varying seasons.

The following hints will be found useful by those using the composition; but practice is necessary before proficiency can be secured.

Use a copper-bottomed kettle (a tin pot with a spout is apparently as effective and is very much cheaper) holding about two quarts. Break into small pieces a sufficient quantity of the composition to fill the kettle three-quarters full, and put it on a slow fire until the composition is melted, stirring it gently with a stick. The composition should never be allowed to boil and should not be used too hot.

To take a cast of a track, it is only necessary to pour into the track as much melted composition as it will hold. The spout of the kettle should be placed as near the track as possible, in order that the impression may not be spoiled while pouring in the composition. Either a band of hoop iron or a ridge of kneaded clay should be placed round the track to prevent the overflow of the composition. The composition should then be allowed to cool, after which the cast can be taken up and washed. A cast should, as a rule, be from three-quarters to one inch in thickness.

The nature and condition of the soil in which a footstep or other track is found, is of much importance in the matter of taking casts. It may sometimes be necessary to take casts of tracks under water. In order to do this, the water must be carefully removed, either by forming a channel to allow it to run off or by means of a syphon. A small tube of rubber makes a simple and effective syphon. A syringe is useful if water has to be removed from the impression made by nails, etc., in footprints.

Taking up a cast needs much care. It must be carefully dug around and underneath, so that when it is lifted it may remain unin-

jured. The clay adhering to it can be removed afterwards, and it can be washed under running water, or a soft brush can be used for this purpose. Casts of footprints are sometimes found to be weak at the instep; this can be remedied by adding a little composition to that part during the process of cooling.

It may in some cases be useful to take copies of casts. For example if the track of a criminal be followed to a certain distance, even though he should at the time elude arrest, the line of direction in which the track leads may indicate the locality in which he will be found. Copies of casts might then be made with a view to forwarding them to the Police of the locality to aid them in their searches.

For taking a copy an impression of the cast should be made in a lump of well-kneaded clay and a mould taken of the impression. The original cast should be put aside and carefully preserved, as additional copies of it can be obtained if necessary from the first copy.

The taking of casts need not be confined to footprints, but may be usefully extended, as occasion suggests to knee and elbow, even finger and thumb tracks.

When a cast is setting, it should be marked with the date and with the initials of the operator, for evidential purposes and future identifications.

Care and practice are required in taking a cast of a track found on inclined ground. A ridge of clay should be made round it as before described, and as much of the composition poured into the lowest part of the track as it will hold without overflowing. As it cools, more composition should be added until the entire track has been filled. When the cast has hardened it can be taken up and washed as before stated.

If the house raided by criminals is fitted with glass-work, high-seasoned and polished wood work, which happen to be dusted and there are symptoms of the offender having touched these, grey or white powder, as the case may be, *i.e.*, grey for whitish objects and white for greyish ones, should be gently spread over the surface of the objects suspected of having been so touched. After a while the powder should be removed by a gentle blow of breath. By this process, the ridges, etc., will become decipherable if there exist any. Photographs should then be taken of the portions bearing such marks which could in the event of a prosecution be used with a very great advantage for evidential

purposes.

Track Parades.—Tracking is another useful science which is invariably very helpful in cases in which tracks have been left behind by offenders, animals used by them for conveyance purposes, or those removed by them, which form the subject of offence. Method of taking casts of impressions has been detailed above and may be experimented and employed with a great advantage.

A tracker where available shall invariably be employed in such cases to help the investigation and to lead the tracks as far as possible. In case the tracks cannot be led right up to the destination, the tracker shall, after he has carefully and minutely seen the original tracks and has noted the size and special features thereof, be employed at this or any subsequent stage of the investigation to compare such tracks with those of the persons suspected in the case. This shall be done by holding "Track Parades" in front of two or more reliable and independent witnesses and if possible also in the presence of a Magistrate. A soft or sandy ground about 50 paces in length and 25 paces in width should be selected for taking the foot impressions of suspects. The suspected persons should be made to walk in line with a number of unconnected persons of about the same size who have been assigned positions in the row in accordance with the wishes of the suspects, the order of falling in being noted on a separate piece of paper by the investigating officer and the parade witnesses.

The suspects shall be kept carefully concealed from the view of the tracker when the parade is being arranged. After the foot marks of the suspected persons have been obtained in the manner stated above, the tracker will be invited to the parade ground and given an opportunity of picking up such of the tracks as in his opinion compare with those noted by him on the scene of occurrence. The note suggested above shall then be referred to and results recorded therein.

If any tracks have been compared by the tracker, a memo of "Track Parade" shall be prepared by the investigating officer and signed by the tracker, the witnesses and the Magistrate if one is present. The note prescribed above shall be appended in original to the memo and a copy of the entire document made in the case diary concerned.

If the suspected individual is in judicial custody or is serving a sentence in a Jail, the parade shall be held inside the Jail premises

in accordance with the Jail Rules.

"*Identification Parades.*"—Great care should be exercised and full precautions taken against a wrong person being identified by witnesses. Among others, the following are absolutely essential points which should be un-erringly observed at the time of identification parades:—

- (1) The witnesses shall be stationed well away from the scene of parade and placed in a position which utterly eclipses the view of the parade ground.
- (2) Means of communications between the two places shall be totally disconnected till the parade is finally over and no one, nor even a Police Officer, shall be allowed to walk from one place to another.
- (3) The persons whose identification is in question shall be kept concealed from the view of the witnesses and will, if they so desire, be allowed to muffle up their faces till the parade is actually held.
- (4) They shall be made to stand in a row with as many of unconnected persons as can be conveniently found, but care shall be taken that the men joining the parade are, as far as possible, similar in size, age and appearance to those of the accused persons.
- (5) As soon as the row has been formed and every one has fallen in, an opportunity shall be given to the accused persons to change their *Pagris* or any other piece of their dress with their neighbours in the row if they so desire.
- (6) As the last piece of precaution, the accused persons shall, before a witness is called in, be allowed to change places with others in the row if they so desire and, if desired further, this course may be repeated before each witness is called to the parade ground.

The parade shall be arranged by a Gazetted Officer if possible or the seniormost Police Officer present on the spot. It shall be witnessed by two or more respectable inhabitants of the locality and supervised by a Magistrate if one is available.

If the accused person is in Judicial Custody or is serving a sentence in a Jail the parade shall be held inside the Jail building in

accordance with the rules of the Jail.

If one or more of such persons have been identified, a memo of identification parade shall be prepared and signed by all concerned including the identifiers and the witnesses of the parade.

"Proof of Parades."—For proving memos of identification and track parades the following pieces of evidence among others shall necessarily be produced in court:—

1. An independent witness to state that he was personally present with the identifiers or the trackers, as the case may be, and to vouch that such witnesses had no chance whatever of seeing the accused persons before reaching the parade ground.
2. Another independent witness to state that he was personally present with the accused persons and to vouch that there was no chance of any of such persons having been seen by any of the prosecution witnesses or the trackers, as the case may be, before the latter actually arrived at the parade ground.
3. The tracker or the identifier as the case may be and the supervisor, convener and the witnesses of the parade, to prove the Memo.

Proof of Handwriting.—1. Evidence of handwriting, as long as it is definite and reliable, forms a rebuttable proof in the prosecution of a case which is chiefly based on a writing, if such a writing is being denied or is likely to be denied in court by the person who is supposed to have written it. The most frequent of these cases are forgeries, cheating, embezzlements, misappropriations and falsification of accounts, in which any such writing is in question.

2. The handwriting evidence shall be obtained only in cases in which such an evidence forms the turning point of the case and that only when the writing is sufficiently long and not only a signature or a single, two or three-worded phrase on which an opinion is difficult to form.

3. In cases in which the handwriting evidence is not so very important relatively to the whole body of the evidence, it should always be dispensed with, as even the Handwriting Experts have admitted their failure in the matter of forming opinions in cases in which the writer has taken precautions to change the style of his writing

which generally is the case, while on the other hand the standard of proof demanded by courts in cases involving evidence of handwriting is extraordinarily high and they simply refuse to entertain an evidence which is not absolutely definite.

Handwritings shall be proved either :—

(i) By the evidence of a witness who has frequently seen the person concerned writing on different occasions and is able to identify the writing in question. Invariably he is a relation, a friend, an acquaintance, an employer, a servant, a co-official in an office, shop, firm, or institution or one who has or had business dealings with the person concerned and has in any one or more of these capacities had ample chance of actually seeing him writing. The mere fact of having received letters and communications in the handwriting of a certain person forms no evidence whatsoever and need not be quoted. The rule of relevancy demands that the witness must have actually seen the person concerned writing and this must be so often that the witness has become thoroughly acquainted and familiar with the style and the peculiarities of his handwriting. Any evidence falling short of this standard will serve no useful purpose in court and need not be attempted at. The main point in an evidence of this kind is that the witness should be genuinely able to pick up the handwriting in question if mixed with others and placed before him in a lot. The defence counsels have a legal right to subject our witnesses to such a test with a view to question the credibility of their evidence. Adequate safeguards should therefore be taken before such a witness is produced in court or his name withdrawn from the list of witnesses if he is not up to this standard.

(ii) Or by the evidence of a handwriting Expert who has compared the writing in question with the specimen handwritings of the person who is supposed to have written it. If it is desired in the interest of an investigation to take advantage of an expert opinion, the person concerned shall be taken before a Magistrate or in his absence before a Gazetted Officer of the Police and made to write several pages in the presence of this officer. Each such page shall as far as possible, contain the figures, phrases and the words employed in the writing in question and shall be endorsed by the said officer in the words "written by A or B or C or any other letter of the Alphabet which has been substituted for the name of the writer, (the idea being

that the name of the writer should be kept secret from the Expert and his staff) in my presence on such and such date."

The specimen writing and the writing in question shall then be carefully packed, sealed and forwarded to an Expert and so far as possible, the name and address of the Expert selected for such comparisons shall be kept secret from the parties till he actually appears in court.

Next —Experts have often refused to give opinions on small materials and it would be useless to seek their help if the writing in question consists only of a line or less or only a signature or two, or mere figures.

Proof of Previous Convictions.—Convictions awarded by Courts of foreign territories have not been held to be relevant in Jaipur Courts for purposes of Section 63 J. P. C. (75 I. P. C.) and therefore no attempt need be made to prove such convictions, excepting only in cases of bad livelihood.

On convictions awarded by the Jaipur Courts, finger prints of each convict are taken and sent to the Finger Print Bureau, Mount Abu, for record, as already stated under head "Photos and Finger Prints."

If the reply to a *Naqsha Tasdiq Sakmat* (which is sent on every arrest to the Home Police Stations under instructions prescribed in Chapter VI) discloses one or more previous convictions against an arrested person, the reporting Thana shall proceed as follows:—

- (i) A search slip shall be prepared in the prescribed manner and sent to the Finger Print Bureau, Mount Abu, for comparison with the Finger Prints, which are on permanent record there.
- (ii) On receipt of a reply from the said Bureau or at an earlier stage on receipt of a reply from the Home Police Station, a reference shall be made to the Superintendent of Jail, quoting particulars of the convictions pointed out by the Home Police Station and the Finger Print Bureau and asking for confirmation or otherwise of this information.

The Jail authorities shall thereupon forward to the reporting Police Station an extract from their Jail register in the prescribed form showing particulars of the convict and of the case, as also the

dates of Prisoner's admission in and release from the Jail, as recorded in the said register.

The Station House Officer of the reporting Police Station if he is satisfied with the correctness of the Jail Memo shall forward the same to the court through the Prosecutor.

As the Police Station records are not expected to be as complete and exhaustive as those of the Finger Print Bureau it would be inadvisable to rely on the *Naqsha Tasdiq Sakumat* replies alone. Replies to search slips must therefore be awaited, before proceedings under Section 63 J. P. C. (75 I. P. C.) are started.

If a reply is not received till the stage of *challan*, a request shall be made in the charge sheet requiring the Prosecuting Officer to notify the fact of existence of previous convictions to the *Ilqa* Magistrate with a view to move him for transfer of the case to the court of a higher Magistrate who has powers to proceed under this section. The Magistrate so deputed shall be requested to await the Bureau's reply before passing the final judgment.

The officer who prepares the search slip shall be cited as a witness in the case with a view to introduce the Bureau's reply in the court.

A Jail memo is admissible in courts under Section 377 (b) J. C. P. C. [511 (b) C. P. C.] provided identity of the convict is proved by independent evidence. A Jail official who is able to identify the convict shall therefore be summoned and examined on the point of the convict's identity.

If no such Jail official is available, the complainant or a witness of the case in which the conviction was awarded shall be produced in court to prove the identity of the convict. If no such person can either be found, the Police Officer who conducted the investigation of the said case shall prove the accused's identity in court. In such cases the prosecution shall also request the court to consult the original judgments up to a limit of three cases which has been held to be the standard for application of Section 63 J. P. C. (75 I. P. C.).

The other course for proving such conviction is the examination in courts of proficients employed in the Finger Print Bureau at Mount Abu, but this is much too expensive and may not be resorted to, excepting in very doubtful cases which bear special features of importance.

Disputed Jurisdictions.—If the case reported at a Police

Station, is an occurrence of a different Police Station, the facts constituting the case shall be recorded in the Daily Diary instead of in the F.I.R. and a copy thereof immediately sent to the Officer-in-charge of the Police Station concerned. Pending arrival of an officer from the Home Police Station, the Station House Officer of the Police Station, at which the report has been made, shall forthwith start the investigation, taking all possible measures for securing the arrest of the offenders if any at large in the case. Likewise, if after commencing the investigation, he discovers that the offence was committed in the jurisdiction of another Police Station, he shall send information to the Station House Officer concerned and continue the investigation in the same manner as he would do for a case of his own *Thana*, till an officer from the Home Police Station has arrived and has taken over charge of the case. Should this officer dispute the jurisdiction, both of them shall jointly carry on the investigation unless and until the question of jurisdiction has been finally decided by a Gazetted Officer. If the case is eventually transferred to another Police Station by reason of jurisdiction, it shall be registered at the Police Station in the jurisdiction of which the offence has occurred and cancelled from the Police Station where it was first reported.

Abstaining from Investigations.—Section 151 (1), proviso "a" of the J. C. P. C. [157 (1) proviso "a." C. P. C.] gives us discretionary powers of abstaining from local investigations of unimportant cases in which the accused have been named in the First Information Report, the object being to reduce our outdoor work connected with investigations.

This provision of law, however, does not allow us to totally ignore the investigation of such cases. It is only a facility for dispensing with local investigations in already traced cases and has been afforded on the presumption that after nomination of the accused in the F.I.R. the formal enquiry which involves no detective skill can be safely conducted at the headquarters of Police Stations.

The same section under proviso "b" provides that an Officer-in-charge of a Police Station shall totally dispense with an investigation if he finds insufficient grounds to enter into it. This facility has been afforded with a view to reduce our work in cases which do not actually need our protection or support. *c.g.*—

- i. Cases of trivial nature which are lacking in any special

features.

- ii. Cases made up of technical offences, investigation whereof serves no public interest.
- iii. Cases in which the property involved is grain, coin or other unidentifiable species, value whereof is not very large.
- iv. Unimportant cases in which the informants or complainants, as the case may be, do not wish or are apathetic towards investigations which, if made, are not likely to serve any public interest either, and
- v. Such other cases which from the facts on surface do not seem to require any investigating skill for sifting out their evidence.

NOTE.—From what I have gathered during my one year's experience here, I consider that our investigating staff have not derived the benefit of these legal facilities in the spirit in which it was intended by the framers of law. On the other hand I find that in majority of cases, an entirely wrong use is being made of these provisos, more in order to suit the personal purposes of the investigating officers and the complainants than any way serving the object with which these facilities were extended. Cases of burglaries and thefts which being the staple crime of the State rightly deserve our first care and attention and ought therefore to be traced, completed and challaned in the public interest if not in the interest of complainants, have often been given the advantage of proviso "b" and dropped on the excuse of the complainant's wishes being to the contrary. The so-called wish according to my knowledge and belief is seldom voluntary and genuine, and if at all so in any singled-out case, it only betrays lack of complainant's confidence in the Police and their methods which the Police concerned should feel sufficiently ashamed of. More frequent are the cases, investigation whereof is likely to prove detrimental to the interests of the complainants or is likely to adversely reflect on their private, social, official or public character, their general reputation or on a case proceeding in a court of law in which they are personally interested. It may be noted that a wish expressed by an interested party cannot be held to be binding on us and we are not supposed to direct our actions merely to suit their interests as against the interests of general public.

The correct reading of this law, therefore, is that an investigation, which apparently serves a public interest, must be furthered irrespective of complainant's wishes and whether or not it suits his personal purposes. Accordingly a case of theft or burglary, howsoever unimportant in nature and simple in features, shall not be dropped merely because a complainant does not like us to proceed with it. Investigation of such an offence, if nothing more, must serve a useful purpose in the way of prevention of crime (emanating from one particular criminal or one particular gang of criminals) which directly

affects the public in general. Again, a crime which appears to have been committed by a professional or a habitual offender, should never be allowed to go uninvestigated merely because the complainant, who may have mercenary or ulterior motives behind, does not wish us to proceed with the investigation or because it is lacking in other points of importance or special features.

The cognizable cases which rightly and lawfully deserve the treatment laid down by this law are:—

- (i) Cases of lints reported against named persons in which the injury is not very serious and recovery of weapon of offence is not in question.
- (ii) Cases of criminal assaults subject to the same conditions as laid down in the preceding paragraph.
- (iii) Cases of civil nature arising out of business dealings which though technically covered by the definition of cheating are lacking in criminal intentions, and
- (iv) Such other cases of technical nature in which the criminal intention is absent or is different from the one demanded by the ingredients of the section concerned.

Note.—It is my sad experience that the classes of cases mentioned above, which least deserve our care, have often found more favour with our investigating staffs than even their real work which lies in the detection of offences against property. Two reasons are obvious, firstly that these are the easiest to investigate and secondly that these are often more fruitful to corrupt officers. The correct procedure, therefore, is that cases falling under the above-mentioned heads which serve only individual interests as against interests of the public in general and which require no special investigating skill, should always be held as secondary in the order of precedence. Following this principle it is emphatically urged that benefit of Provisos "a" and "b" should be derived in their application only to the classes of cases enumerated above and on no account should the investigation of an offence against property be allowed to suffer owing to the so-called wish unless the offence is purely technical.

Procedure.—Whether or not any investigation has been dispensed with under either of the two provisos of Section 151 J. C. P. C. (157 C. P. C.), a F.I.R. must be recorded, followed by a report under Section 166 J. C. P. C. (173 C. P. C.), the only difference being that in cases covered by Proviso "b," no Case Diaries need be prepared or submitted to the higher authorities.

In cases covered by Section 83 J. P. C. (95 I. P. C.), however, which is another discretionary power vested in us for abstaining from investigations of trivial offences involving properties which carry

little or no value, no F.I.R. need be recorded nor any other record framed except only a report in the Daily Diary as is done in the case of reports of non-cognizable offences.

If the Officer-in-charge of a Police Station decides to act under either of these two provisos, he shall record his reasons for so doing in the F.I.R. under head "*Karrawai Police*" as required by the provisions of Section 151 (2) J. C. P. C. [157 (2) C. P. C.], and shall if he is altogether dropping the enquiry under Proviso "b" notify this fact to the complainant or the informant, as the case may be, by means of a written order known as "*Itla Adam Taftish*" issued in the form given in the appendix which also is a legal obligation under the latter part of the said section.

Incomplete Charge Sheets.—In all serious cases, when the accused has been arrested and prima facie evidence has been collected, it shall be incumbent on the investigating officer to proceed under Section 163 J. C. P. C. (170 C. P. C.) and to send the case for trial without waiting for the investigation to complete. Witnesses should invariably accompany such *challons* and the court should be asked to take up the case at the earliest possible moment in order to record the available evidence and thereafter to grant such detention or remand under the provisions of Sections 160 or 255 J. C. P. C. (S. 167 or 344 C. P. C.) as may be found necessary. Evidence obtained subsequently can be produced before the court by a subsidiary Charge Sheet known as "*Titamma Chellan*" sent under Section 166 J. C. P. C. (173 C. P. C.).

Note.—Section 163 J. C. P. C. (170 C. P. C.) is another provision of law which like Section 151 J. C. P. C. (157 C. P. C.) has not been made a proper use of by our Police. In practice it is intended to afford facility for securing the statements of prosecution witnesses at an early stage of the investigation. This was the spirit with which this law which in face of provisions of Section 160 J. C. P. C. (167 C. P. C.) and Section 268 J. C. P. C. (344 C. P. C.) looks obviously superfluous was introduced to guard against the witnesses going back on their statements, due to any influence which may be working behind the scenes. Under the provisions of this law, we can lawfully place the evidence in hand before a competent Magistrate at an initial stage of the investigation, without waiting for completion of the case. Thus without resorting to the much-hated provision of Section 157 J. C. P. C. (164 C. P. C.) which, as I have remarked elsewhere, does more harm than good, we can nail down the witnesses and secure their statements (on the pain of their prosecution for perjury under Section 182 J. P. C. (193 I. P. C.)) at a preliminary stage of the investigation. In future therefore, this section shall be freely availed of and shall be used every time in preference to the somewhat damaging practice of having such statements recorded under Section 157 J. C. P. C. (164 C. P. C.) which should be discouraged as much as possible. In important

If maliciously false, the report shall give concise reasons which could be advanced by the Prosecuting Officer in Court in order to obtain the Court's permission for operations of Section 171 J. P. C. (182 J. P. C.).

In cases of foreign jurisdictions, the report shall necessarily mention the fact that the case has been duly registered at the Police Station concerned without which no cancellation can be ordered. In such cases the final report need not be forwarded to the Magistrate, since the Superintendents of Police have been vested by law with full powers of passing final orders in cases of foreign and disputed jurisdictions.

If of military jurisdiction, the record intended for the Magistrate shall instead be forwarded to the Officer Commanding of the corps concerned through the Superintendent of Police of the district in which such an offence has occurred.

The Officer Commanding will communicate the result of the court-martial proceedings to the Superintendent of Police direct and the latter shall direct the Police Station concerned to prepare a final report in the case. The S. H. O. thereupon shall embody the court-martial finding on the prescribed form which shall be deemed to be the report required by Section 166 J. C. P. C. (173 C. P. C.).

Charge Sheets.—If the investigation has proved a case against one or more persons a charge sheet generally known as *Challan* shall be submitted under Section 166 J. C. P. C. (173 C. P. C.) in the form given in the appendix which shall be filled in the manner prescribed in Chapter II.

Great care should be taken that superfluous and unnecessary details are not incorporated in Charge Sheets, because like the F.I.R. this document also eventually forms part of the judicial file and falls in the hands of defence counsels. The practice of writing precis on the back of charge sheets should also be stopped for the same reasons.

The other papers which generally form part of a Charge Sheet are F.I.Rs., Post-mortem reports and *Naqshas* A, B, or C in event of deaths, statements of injuries, Chemical Examiners' and Serologists' Reports, Experts' opinions, certificates regarding identity of the accused generally known as "*Naqsha Tasdiq Sakunat*," plans of scenes, memos of search of houses, memos of search of persons, memos of recoveries, memos of track parades, memos of identification parades, memos of pointing out of places drawn up under Section 26 of the Jaipur Evidence Act (S. 27 I. E. A.), Jail Memos and Finger Print Bureau Reports regarding previous convictions, Bail Bonds, Recognizances, "*Safurdginamas*" of cattle and remand papers if any. Other documents, if any taken into possession for evidential purposes, may not be surrendered with the Charge Sheet nor produced in court till the witnesses concerned appear before the Magistrate for proving them. Memos and Expert opinions may, if so advisable, be given the same treatment unless the court demands production of these documents at the initial stage of a trial.

of the credibility of their evidence during the course of their cross-examination. Briefest possible accounts and only the bare facts should be mentioned in such documents without mentioning how and through whom the accused were brought round to agree to recover properties or to point out places as the case may be. So much of the confessional

statement only as is directly relevant and admissible in court under Section 26 of the Jaipur Evidence Act (S. 27 I. E. A.) shall be inserted in the memo concerned and not the fact of his having admitted the commission of an offence which is entirely inadmissible (unless regularly recorded by a Magistrate under Section 157 J. C. P. C. (164 C. P. C.) in the form of a confession) and may invalid the whole statement.

Police Briefs.—In important cases sent for trial, the investigating officer shall, whenever possible, attend and personally instruct the Prosecutor. If, however, he cannot arrange to be personally present, he shall submit with the Charge Sheet a memorandum known as "Police Brief" for the information of the official conducting the prosecution.

The "Police Brief" shall contain a concise history of the case showing how the offence was committed, the circumstances under which each piece of evidence was collected, giving references to the case diaries in which full details are given.

Mention shall also be made in this Brief of all matters connected with the case, including the probable line of defence, which, in the opinion of the Investigating Officer, should be specially brought to the notice of the Prosecutor for purposes of cross-examination.

At the stage of service of summonses of defence witnesses the investigating Police Officer shall forward to the Prosecuting Officer a list of questions which he proposes to be put to each of the defence witnesses during their cross-examination in court.

It shall be the duty of the S. H. O. to despatch *challan* papers at such time that they are in the Prosecutor's hands clear 24 hours before the remand expires, and it shall be the duty of the Prosecutor to interview the prosecution witnesses in the presence of the investigator or his representative, before the case is actually put in court.

Non-Cognisable Cases.—Non-cognisable Cases shall not be investigated unless ordered by a Magistrate under Section 194 J. C. P. C. (202 C. P. C.) or unless his authority has been obtained under Section 149 J. C. P. C. (155 C. P. C.).

When an investigation has been so authorised it will be carried out in the same manner as if the offence was cognisable, except that no arrest shall be made unless under the authority of a warrant issued by the same or any other competent Magistrate.

Case Diaries will, of course, be regularly prepared day to day as in cognizable cases, but no copies need be sent in such cases to any superior officer. After completion of the investigation, the whole file of the original case diaries shall be despatched to the Magistrate in a closed cover for his personal perusal. The original complaint shall be returned to him with a self-contained report mentioning the facts which have been disclosed by the investigation, the proofs which exist, and the evidence documentary, oral or both, which is available in the case. This report shall give a list of names of prosecution witnesses with brief notes against each as to the point or points on which they are required to be examined. Memos, plans, bail and recognizance bonds and other papers, if any, prepared or seized by the investigating officer during the course of investigation, shall be appended to this report, as is done in case of charge sheets.

Ordinarily these papers will be forwarded to the Magistrate per dak, but if any property has also been taken possession of during the course of investigation, it shall be entered up in a road certificate and sent along with the report and its enclosures by hand of a constable.

C. I. D. Investigation.—The C. I. D. Crime Branch will be in the immediate charge of an officer of the rank of Superintendent of Police under the general control of the D. I. G. The personnel of this branch will consist of one Superintendent, one Inspector, three Sub-Inspectors, seven Head Constables and nine Constables.

Officers belonging to the regular Police Force may also on certain occasions be selected for temporary service in this branch of the C. I. D.; they shall be reverted to their respective districts when their services are no longer required.

In addition to the Police Officers employed in and lent to the C. I. D., persons other than Police Officers may also be engaged to serve as informers and may be given suitable remunerations either in the shape of Rewards or from the Secret Service Fund.

Such persons shall not be given certificates of appointment and shall not be medically examined, nor their Character Rolls maintained.

The name, residence and date of appointment and discharge of each person engaged as an informer shall be entered in a confidential register maintained for the purpose by the D. I. G. Such persons shall exercise no authority as Police Officers and shall be employed simply

to collect information. A certificate of identity signed by the D. I. G. containing a brief description of the officer or informer concerned shall be given to each such officer or informer as the case may be.

Whenever necessary, the services of any of the C. I. D. staff may be requisitioned by the Divisional Superintendents of Police by means of confidential demi-official letters addressed to the D. I. G. by name.

The officers and men of the C. I. D. shall be required to take up cases of organized, professional or serious crime affecting the State, the ramifications of which extend beyond one district or beyond the boundary of the State territory, and to make such confidential enquiry into the conduct of the district investigating staffs, as the nature of the complaint made in the course of an investigation requires. In each case the deputation shall be made by the I. G. or the D. I. G. in person and the C. I. D. will not have the discretion to enter on or interfere with an investigation of their own authority.

When deputed to assist in the investigation of a case, officers of the C. I. D. shall in no way supersede the local Police who shall continue to be responsible for the conduct of the case and for its final presentation in Court.

When dealing with cases in conjunction with the District Police, officers of the C. I. D. shall bear in mind that they must gain the confidence and good-will of the local Police and avoid giving cause for jealousy. When good results are obtained, full credit shall be given to the District Police Officers for any share they may have taken in the work and when results are unsatisfactory, care shall be taken not to put the blame on the local Police when it is not rightly deserved. The Superintendent of Police, C. I. D., Crime Branch, shall be responsible to see that this rule is strictly observed.

Except with the sanction of the D. I. G., officers of the C. I. D. shall not be called upon to give evidence in Court in cases in which they have assisted the district Police, but when advisable and possible C. I. D. Officers may be employed to prosecute cases taken up by their Department, in which case the senior investigating officer shall attend the hearings of such cases.

Each Inspector and Sub-Inspector of the Crime Branch shall maintain the following two registers:—

(i) Information Register, which shall be written in duplicate

by carbon process.

When deputed to investigate a case, the officer concerned shall enter in this register a statement of the information received concerning the case and shall submit the counterfoil to the D. I. G. marked 'Confidential' through the Superintendent of Police, C. I. D., Crime Branch.

(ii) *Daily Report Register*.—This also shall be written in duplicate by carbon process and submitted daily to the D. I. G. through the Superintendent, C. I. D., during the course of C. I. D. investigations. This report shall be submitted only when no Case Diary is prepared.

In both the cases, *i.e.*, when Information Reports or Daily Reports are sent, the Superintendent, C. I. D. shall endorse thereon the time and date of receipt, and the action which, if any, he intends to take on an information contained in such reports. The counterfoils of both the reports shall be filed in chronological order in the office of the C. I. D. and destroyed after one year under the orders of the D. I. G.

In cases where C. I. D. Officers have been deputed merely to assist the District Police in view of any complications in the case, and it is not necessary to keep the C. I. D. proceedings secret from the District Police, the D. I. G. may require the C. I. D. Officers so deputed to submit Case Diaries in lieu of Daily Diaries which of course, shall be forwarded to the Superintendent of Police of the Division, instead of the Superintendent, C. I. D. In such cases the C. I. D. Officers deputed to assist in the investigation shall, for the time being, act and proceed under the orders of the Divisional Superintendent of Police concerned.

The Case Diaries will be prepared in the form prescribed in the appendix, while the Information Register and the Daily Diary may be maintained in any forms which are deemed convenient by the officers concerned. No standardized forms need be prescribed for these simple records.

General.—Among others the following are absolutely essential qualifications which an investigating officer should cultivate by constant study and practice before claiming proficiency in the art of investigation.

1. Conversance with the procedure laid down for making in-

investigations:

2. Conversance with the method and system prescribed for conducting investigations;

3. Knowledge of scientific methods generally employed for tracing criminals;

4. Power of observation.

Nos. 1, 2 and 3 have been dealt with in the foregoing pages; for No. 4 the following hints may be found useful.

It goes without saying that power of observation is a useful weapon, which plays a prominent part in Police investigations. Rightly speaking a *Police Officer*, lacking in the power of observation is, to say the least, lacking in the art of investigation and consequently lack-

CHAPTER IV.

Sudden and Unnatural Death.

An Officer in charge of a Police Station is required to proceed to the place where the dead body may be lying and hold an enquiry in the manner prescribed in Section 167 J. C. P. C. (174 C. P. C.).

Directly on receiving the report, he shall send information to the Magistrate authorised to hold inquests and before starting the enquiry shall arrange for the presence of two or more respectable witnesses from the locality as required by the provisions of Section 168 J. C. P. C. (175 C. P. C.).

Inspection of Body.—On arrival at the spot he shall make arrangements to prevent the destruction of evidence of footprints, blood stains or other objects indicating the cause of death and to keep off people from approaching near the body. The footprints should be carefully covered up before the inspection of the body is started.

All the clothing not adhering to the body shall be removed and sealed up and all ornaments and other articles on the person taken into possession after making an inventory thereof. The inventory shall describe the position in which each article was found and shall mention any blood stains marked around the injuries or other noticeable fact in connection with such things. If the body is unidentified, a photograph and finger-prints shall also be taken of the deceased besides noting his full description in the prescribed form.

Death Statements A, B, C.—During the inspection he shall carefully note in *Nagsha A*, *A* and *B*, or *A* and *C*, as the case may be, description of injuries, if any, and the condition of deceased's eyes, mouth, nose, face, stiffness of joints if any and complexion of the skin if it has undergone any change.

Statement *A* is used in cases of purely accidental or natural deaths, i.e., deaths which are not suspected to have been caused by violence or poisoning, or by suicide.

Statement *B* is used in cases of deaths suspected to have been caused by violence.

Statement *C* is used in cases of deaths suspected to have been caused by poisoning.

In cases of *B* and *C*, Statement *A* shall also be filled in and appended to statement *B* or *C* as the case may be.

Vomits, liquids and excrements shall be likewise sealed in jars and sent to the Chemical Examiner for analysis. The method of packing, enclosing and sealing articles, liquids, vomits, and excrements has been explained in the following pages.

Torture Cases.—In cases of deaths caused or supposed to have been caused by the Police, the inquest shall always be held by the Nazim of the district concerned.

Hanging Cases.—In cases of deaths by hanging, the report shall also give particulars as to the height and sufficiency of the support and the nature of the articles used to bear the weight of the body.

Drowning Cases.—In drowning cases, the depth of the water shall be necessarily stated, as also the water level.

Poisoning Cases.—In poisoning cases, information should be collected and recorded in *Naqsha C*, which may be of value in assisting the medical officer to form an opinion as to the precise poison employed and if some local treatment has been adopted to counteract this poison, the nature and duration of this treatment and the names of medicines administered should also be noted in the report.

The following are the most common symptoms of various fatal poisons:—

Poisons.	Native Name.	Usual Symptoms.	Ordinary Interval between taking the poison and appearance of symptoms.	Ordinary time before death.
Arsenic	<i>Sannulfar Sankhia Hartal and Mausil.</i>	Vomiting; burning pain in the stomach; great thirst; sometimes cold skin; cramps in the limbs and sleepiness.	$\frac{1}{2}$ to 1 hour.	6 to 12 hrs.
Opium	<i>Afiun, Afun.</i>	Sleepiness; pupils small; complete insensibility; skin sweating; vomiting seldom occurs.	$\frac{1}{2}$ to 1 hour.	6 to 12 hrs.
Aconite	<i>Besh</i>	Numbness and tingling in the mouth and throat afterwards in the limbs; frothing at the mouth; sleepiness; occasionally convulsions or delirium or paralysis.	$\frac{1}{2}$ to $\frac{1}{2}$ hour.	1 to 8 hrs.
Dhatara	<i>Dhatara</i>	Sleepiness; pupils enlarged; delirium; insensibility; vomiting rare.	5 to 10 mins.	6 to 12 hrs.
Nux-vomica	<i>Kuchila</i>	Twitching in the limbs, followed by violent spasms and often lock-jaw. The spasms cease for a time and then again return, often without evident cause; and usually affect the whole body.	$\frac{1}{2}$ to 1 hour.	6 to 12 hrs.

Chemical Analysis.—With regard to the packing of articles required to be sent for chemical analysis, the following rules shall be observed:—

- (1) Liquids, vomits, excrements and soiled earth shall be placed in clean wide-mouthed bottles or glazed jars, the stoppers or corks of which shall be tied with bladder, leather or cloth, the knots of the cord being sealed with the seal of the Police Officer making the investigation. Care shall be taken that the stopper or cork of the bottle fits tightly. If necessary candle wax should be placed round the lip of the bottle so as to cover the shoulder of the stopper. Each bottle and jar shall be tested, by reversing it for a few minutes to make sure that no leakage is possible.
- (2) Supposed medicines or poisons, being dry substances, shall be similarly tied in jars or made up into sealed parcels.
- (3) Blood-stained weapons, articles or clothes shall be signed or marked with a seal and made up into sealed parcels. When blood-stained clothing is concerned the stained portion only shall be cut out and sent. In case of weapons, however, they shall be sent intact.
- (4) In case of semen-stained clothes, the entire garment shall be sent and care shall be taken that the cloth is not folded at the stained portions. The stains shall be kept quite flat and shall be protected by a thin layer of cotton wool on its surface, as otherwise, pressure or friction may crush the spermatozoa beyond the possibility of recognition under the microscope.
- (5) On each bottle, jar and parcel and also on each article or set of articles contained therein, separate identification of which has to be proved, shall be affixed a label describing the contents and stating where each article was found.
- (6) Each such label shall be impressed with a counterpart of the seal used to secure the fastenings. A copy of each label and a counterpart impression of the seal shall be appended with the inquest report.

- (7) Where necessary, the glass bottle or jar shall be placed in a strong wooden or tin box, which should be large enough to allow of a layer of raw cotton at least three-fourths of an inch thick, being placed between the vessel and the box. The box itself should be encased in a piece of cloth, which should be securely closed and sealed. The seals should be at intervals not exceeding three inches along each line of sewing. All the seals must be of the same kind of wax, and must bear distinct impressions of the same device. The device should ordinarily be a name, a mono or other distinctive seal, but shall not in any case be a current coin or merely a series of straight, curved or crossed lines. The seal employed in the packing of these articles shall be kept by the officer conducting the enquiry in his personal custody till a report has been received from the Chemical Examiner.
- (8) All bottles, jars and parcels shall be despatched to the address of the Chief Medical Officer, Jaipur, who will determine which of such articles, if any, should be subjected to Chemical or Serological Analysis.
- (9) In no case shall a Police Officer correspond direct with the Chemical Examiner or Serologist on the subject of Chemical or Serological Examinations. References of this kind must always be made through the Chief Medical Officer.
- (10) The Chief Medical Officer will transmit the blood-stained articles to the Serologist only if the Police Report points out that the establishment of the fact that blood-stains are of human blood, as distinct from the general classification of "*Mammalian*" is most material to the prosecution. In cases in which the establishment of this fact is comparatively of small importance relatively to the whole body of evidence, the Police shall not insist on this expensive course.

Articles of which return is required for production in court or otherwise shall be distinctly specified in the forwarding letter.

Disinterments.—If the body has already been buried and dis-

interment is considered necessary, the Officer-in-charge of the investigation shall record in writing the information which has reached him and the grounds on which he considers it necessary that the body should be disinterred and shall forward this information to the Magistrate empowered to hold inquests, vide Section 169 (1) J. C. P. C. [176 (1) C. P. C.] asking for an order under Section 169 (2) J. C. P. C. [176 (2) C. P. C.], and in the meantime shall guard the grave.

On receipt of such order, if the Magistrate does not himself attend the disinterment, the Police Officer shall, in the presence of two or more respectable inhabitants of the neighbourhood, cause the body to be disinterred. Such Police Officer shall then comply with the provisions of Section 167 J. C. P. C. (174 C. P. C.). The identity of disinterred body must be proved before commencing an investigation under his head.

When a body has been in the grave for a period exceeding three weeks no disinterment shall be undertaken by a Police Officer until the opinion of the Medical Officer has been obtained and the *Nasim* has authorised the disinterment.

If the body has already been burnt and there is a suspicion of some metallic poison having been administered to the deceased the ashes of the funeral pyre should be collected and sent in a closed vessel to the Medical Officer with a note explaining the circumstances which render this course of action necessary.

Inquest Reports.—Inquest Reports are the forwarding letters which cover Statement A, A and B or A and C according as the deceased appears to have died.

In case of parcels and jars which have been made up and labelled in the above-described manner, a copy of each label and a counter-impression of the seal shall be annexed to the inquest report.

Inquest reports should clearly show apparent cause of death. In cases of deaths suspected to have been caused by violence, such reports should particularly mention marks of violence which may be found on the body, describing exactly the manner in which such marks appear to have been inflicted and the weapon or instrument which appears to have been used.

The report shall be signed by the officer conducting the investigation and also by the witnesses known as members of the *Panchayat*.

The following documents shall form part of this report:—

- (a) The plan of the scene of death;
 - (b) The inventory of clothing, etc.;
 - (c) A list of the articles on and with the body;
 - (d) A list of articles sent for Medical, Chemical and Serological examinations;
 - (e) Death Statements *A*, *A* and *B* or *A* and *C* as the case may be.
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CHAPTER V.

Preventive Measures.

Patrols.—(1) Prevention of crime is the primary duty of the Police far more important than that of detection and is best performed if night patrols are carried out vigilantly and systematically.

(2) It will be the duty of every Station House Officer to regulate night patrols according to the geographical situation of his *Illaga* and the needs of its inhabitants. The night patrols shall be so regulated on a rotatory system as to ensure necessary protection of life and property of the inhabitants of each locality with due provision for surprise visits both by day and by night.

(3) In rural *Thauas* which have been divided off in beats as prescribed in Chapter VII, this duty shall be performed by beat constables and supervised by the Station House Officer and his *gushti* Head Constable, who shall go round by turns and visit each beat at least once a fortnight during their dark night rounds.

(4) Each patrol shall cover not less than 10 miles a night and shall obtain signatures of Patels of the villages visited during the rounds.

(5) Besides scaring away criminals, the patrolling party shall satisfy themselves that the known criminals and bad characters are present at their residence. If found absent, endeavours shall be made to follow their tracks and round them up for operations of 107 J. C. P. C. (109 C. P. C.), should they be found anywhere outside the boundary of their village, without any genuine excuse.

Preventive Powers.—Sections 104, 105, 106, 107, 108, 138, 139, 143, 144, 145 of J. C. P. C. (106, 107, 108, 109, 110, 144, 145, 149, 150 and 151 C. P. C.) and 388 J. P. C. (399 I. P. C.) provide special preventive powers to the Police, a careful use of which ought to check the growth and commission of crime to an appreciable extent. Sections 104, 105 and 106 of the J. C. P. C. (106, 107 and 108 C. P. C.) deal with prevention of offences against person and Sections 107 and 108 J. C. P. C. (109 and 110 C. P. C.) of those against property.

Section 138 J. C. P. C. (144 C. P. C.) provides special measures for dealing with general breaches of peace and Section 139 J. C. P. C. (145 C. P. C.) with breaches arising out of immovable property disputes.

As the sections quoted in the preceding paragraph are non-cognizable by the Police, the procedure laid down in Sections 149 and 154 J. C. P. C. (155 and 202 C. P. C.) shall ordinarily be followed, unless an imminent danger exists, in which case Section 145 J. C. P. C. (151 C. P. C.) will be brought into play, which gives us special powers of arrest even at the preparation stage. Since the "Preparation" has not as a rule, been treated in the light of a penal offence, [excepting of course preparation to commit a dacoity as defined in Section 388 J. P. C. (390 I. P. C.)] the framers of law have granted us this extraordinary power, for use in cases of emergencies.

Offences Against Person.—In cases of hurts Section 104 J. C. P. C. (106 C. P. C.) will make the best joinder of charges with a charge under Chapter XVI of the I. P. C. and should invariably be added to the original charge unless the offence is entirely lacking in motive or is only the outcome of a sudden provocation.

If a breach of peace is apprehended from a person or a class of persons, a report shall be framed under Section 105 J. C. P. C. (107 C. P. C.) detailing the cause of dispute and the evidence available to prove it. On receipt of this report, the Magistrate will, if he has reasonable grounds to believe it, issue notices to the person or party concerned under Section 109 J. C. P. C. (112 C. P. C.), requiring them to show cause why he or they as the case may be should not be bound down. On appearance of the accused, the Magistrate shall proceed in the manner prescribed under Sections 110 to 119 J. C. P. C. (113 to 122 C. P. C.). In cases of persons found disseminating seditious matter which is likely to lead to a communal or a political trouble, Sec. 106 J. C. P. C. (108 C. P. C.) shall be resorted to instead of Section 105 J. C. P. C. (107 C. P. C.) the procedure being similar in both the cases, excepting that if an editor of a paper is being prosecuted under this section, sanction of the Council shall first be obtained.

General Breaches of Peace.—In serious cases affecting the public tranquillity and requiring immediate prevention of a certain act or acts or speedy remedy of a nuisance or nuisances an warrant-

ing the necessity of a wholesale action, the Police shall put up a written report before a competent Magistrate stating the circumstances which render this course necessary. On receipt of the Police report, the Magistrate if he finds sufficient grounds to proceed under Section 138 J. C. P. C. will issue an order for service under Section 130 (1) J. C. P. C. or a proclamation for service under Section 130 (2) J. C. P. C., directing any person or, persons or public generally to abstain from a certain act or to take certain order regarding certain property. As soon as such an order has been promulgated and made absolute under Sections 132 or 133 J. C. P. C. (136 or 137 C. P. C.), it will be the duty of the Police to post patrols in the disturbed locality who shall take immediate and timely notice of defiance of the order, if any exhibited by the persons concerned. Breaches shall be reported promptly to the Magistrate having jurisdiction, for award of penalty under Section 177 J. C. P. C. (188 I. P. C.); in more serious cases, the Police may use their own powers vested in them under preventive Sections 143 to 145 J. C. P. C. (149 to 151 C. P. C.) or under Sections 124 and 125 J. C. P. C. (127 and 128 C. P. C.) according as the occasion and situation demand.

Immovable Property Disputes.—In cases arising out of a dispute over land, house, well or any other immovable property the law under Section 140 J. C. P. C. (146 C. P. C.) vests the Nazims with powers to attach the property in dispute, till a decision has been made by a competent court. If this course is decided upon, a report shall be drawn up under Section 105-139 J. C. P. C. (107-145 C. P. C.) and submitted to the Magistrate, describing the situation of the property in dispute and detailing reasons, why this course is deemed necessary. On receipt of this report if the Magistrate finds reasonable grounds to believe that the attachment of property in question is likely to suppress the trouble temporarily, if not permanently, he shall pass orders requiring the person or persons concerned to appear before him to show cause why the disputed property should not be attached and the parties bound down. If the Magistrate determines after an enquiry that such a dispute actually exists he will order attachment of the property in question under Section 140 J. C. P. C. (146 C. P. C.).

Extra Powers of Arrest.—In serious cases where restoration of peace is not likely to yield to ordinary measures and there exists grave danger of an imminent breach of peace, the Police shall immedi-

ately arrest the person or persons involved in the case under Section 145 J. C. P. C. (151 C. P. C.) and direct him or them, as the case may be, to a competent court along with a report drawn up under Section 105 J. C. P. C. (107 C. P. C.) or in case of habitual offenders under Section 108 (f) J. C. P. C. [110 (f) C. P. C.].

Vagrancy Cases.—The Officer-in-charge of a Police Station has been vested with powers under Section 44 J. C. P. C. (55 C. P. C.) to apprehend any person found under suspicious circumstances, lurking about with a view to commit a cognizable offence and endeavouring to conceal his presence or having no ostensible means of livelihood. These powers shall invariably be used in cases in which criminals are found under the circumstances enumerated above in a village or town to which they do not belong. As Section 107 J. C. P. C. (109 C. P. C.) is not cognizable, no F.I.R. will be framed in such cases and instead, a complaint shall be submitted to a competent Magistrate for dealing with the accused in the manner prescribed by Section 109 to 119 J. C. P. C. (112 to 122 C. P. C.). Directly on arrest, a reference shall be made to the Officer-in-charge of the Police Station, of which the man is a resident, enquiring antecedents and convictions of the arrested person. The complaint submitted under Section 107 J. C. P. C. (109 C. P. C.) shall be borne by a copy of the report of Daily Diary in which the arrest has been mentioned and shall concisely state the circumstances under which it was made, the housebreaking or incriminating articles if any found on the person of the accused and the previous convictions or suspicions 'on record against him.' This report shall also contain a list of witnesses who are required to be examined in Court to prove the charge of vagrancy.

Persons convicted under this section shall be mentioned in Book No. 6 and placed under a vigilant watch unless they have been interned for failure of furnishing security under Section 120 J. C. P. C. (123 C. P. C.). A History Sheet, if one does not already exist, shall be started forthwith, in which details of Police surveillance exercised over his movements shall be concisely and punctually recorded in the manner prescribed in Chapter II.

Bad Livelihood Cases.—There are 6 classes of criminals as defined in the body of Section 108 J. C. P. C. (110 C. P. C.) who can be dealt with under this law: the first five for offences against property and the sixth for being a dangerous and hazardous character.

Cases under this section are principally based upon reputation and should not be attempted at, unless the History Sheet shows at least 3 convictions or suspicions recorded against the individual during the last 3 years, besides oral and more distant suspicions which may also be on record.

If a criminal has recently been in Jail, an opportunity should be given to him for mending his ways and in no case shall he be sent up for "bad livelihood" unless he has been at large for at least six months and has, during this period, been strongly suspected of committing 3 or more cognizable offences. In deserving cases, after the evidence has been carefully sifted out, and prosecution witnesses carefully examined, a Police report shall be drawn up in the form given in the appendix and submitted to Court without the accused. If the Magistrate has reasonable grounds to believe that a case of bad livelihood has been made out, he shall issue a writ or a warrant for the appearance or arrest of the criminal and will thereafter proceed in the manner prescribed in Sections 109 to 119 J. C. P. C. (112 to 122 C. P. C.). In bad cases, where the absconding of the person concerned is strongly apprehended, he should be arrested straightway under one of the clauses of Section 44 J. C. P. C. (55 C. P. C.) or under Section 145 J. C. P. C. (151 C. P. C.) as circumstances demand, and placed before the Magistrate with a report under Section 108 J. C. P. C. (110 C. P. C.).

Method of Proving Bad Reputation.—Station House Officers, *Patels* and *Mukhias* have been admitted to be a reliable class of witnesses in cases of bad livelihood and as many of them as possible should be cited in the report. Among others, the Station House Officers of reporting *Thanas*, the complainants of cases traced to the accused and the *Patels* and *Mukhias* of the village of which the man is a resident, should necessarily be produced in Court to prove a bad reputation.

The prosecution should also lead evidence in Court to show that the bad character's expenses are above his honest resources. A *Patel* or a *Mohalladar*, a neighbour or a leading man of the locality or town or village as the case may be, should be produced to make deposition regarding this fact, if it actually exists.

Method of Proving Suspicions.—For proving suspicions made in a local case, Final Reports drawn up under Section 166 J. C. P. C. (173 C. P. C.) which are supposed to contain particulars of the

suspects and grounds of suspicions shall be produced in Court and proved by the Officers who framed them and the complainants of the cases concerned. If the suspicion relates to an offence committed outside the jurisdiction, the intimation-sheet received from the reporting Police Station and filed in the Personal File shall be produced and exhibited and the Station House Officer of the reporting *Thana* and complainant of the case concerned summoned to prove the same in Court.

Method of Proving Convictions.—Previous convictions awarded by local courts shall be proved in the manner prescribed in Chapter III and Search Slips sent to Finger Print Bureau, Mount Abu, as advised therein.

History Sheets and Personal Files not being original documents are ordinarily inadmissible in evidence, but in certain circumstances, as enumerated below, these may be exhibited in Courts, if no damaging matter is contained therein and if convictions are on record.

Ordinarily convictions awarded by Courts of foreign territories have not been held to be relevant by Jaipur Judiciary, but in bad livelihood cases which mainly hinge on general repute, such convictions can be rightfully referred to, for purposes of proving a bad livelihood. In view of the local procedure, our *Thana* Registers are silent on the point of convictions awarded by foreign courts and the only local record we have to fall back upon for ascertaining the nature and number of such convictions is the History Sheet which under such circumstances forms a useful documentary evidence. The law of relevancy allows the use of duplicate copies, and reproductions if originals cannot be obtained—the original records of such convictions may be available in the territory concerned but so far as we are concerned, justification for using the reproductions of conviction particulars as made in the History Sheets is apparent and cannot be questioned.

Method of Proving Absences.—Again for proving such of the unverified absences as are likely to lead to a presumption in Court that the Bad Character concerned has been engaged in criminal activities during the periods of such absences, we have to fall back upon History Sheets alone, as the only other record supposed to contain first-hand information on this point is the Daily Diary which seldom mentions the details required for a Judicial trial and which not

being a permanent record is destroyed after every two years. If, however, an entry relates to a period within the past two years and a report is available in the Daily Diary, which mentions the necessary particulars, entries of History Sheets may not be referred to in Courts nor in cases of History Sheets of Bundle A, in which the original Bad Character Rolls are handy and available for production in Courts. These Rolls will be found in the Personal Files and may in our own interest be produced in Courts after incidental and other unconnected papers, having no direct bearing on the more essential points of convictions, suspicions and absences have been detached.

Method of Proving Oral Suspicions.—There may as yet be a number of oral suspicions or suspicions made in non-cognizable cases which have found no place in any of our records excepting the History Sheets and the Personal Files or if they were at all recorded in the Daily Diary which is the only book supposed to contain first-hand information in such cases the original Daily Diary concerned not being a permanent record may have since been destroyed. Under such handicaps the History Sheet can once again be exhibited in Court, provided it is our own interest to do so, as it is a privileged record and should not be exposed to the view of parties unless it serves a really useful purpose to the prosecution. In each such case permission of the Inspector-General of Police shall first be obtained without which no privileged records can be exhibited in Court.

Method of Trial.—Magistrates have been advised to try such cases as far as possible in or near the village of which the accused is a resident. If this course is adopted by the Magistrate, the Station House Officer, although he may not be a witness himself, shall arrange to be personally present in the village, well in advance of the hearing of the case, with a view to keep the witnesses in hand and to help the Prosecutor in conducting the prosecution. After the prosecution is concluded, it shall be his duty to ascertain facts of relationship, association and friendship of the criminal with defence witnesses and to give a complete note on these points to the Prosecutor for purposes of cross-examining the defence witnesses.

As soon as a criminal is convicted under this section, his name will find place in Book No. 6 and Book No. 10, Part II, and if he has not been interned for failure of furnishing security, an energetic and vigilant surveillance shall forthwith be placed over his movements.

It would always be advisable to keep these proceedings absolutely secret and confidential till a writ has been issued by a Court under Section 109 J. C. P. C. (112 C. P. C.), otherwise there is every likelihood of the criminal absconding away to evade these proceedings, furtherance of which is rendered highly difficult on his arrest due to lapse of time between the last entry of suspicion or conviction or absence, as the case may be, and the date on which he is arrested. These periods cannot but be shown as clear of suspicion, while on the other hand, the spirit of law is that there should be something very recent to show that the man has been constantly engaged in criminal activities and more particularly so in the immediate past.

Harbourer's Trial.—In case a criminal, against whom these proceedings are under contemplation, is very thickly connected with a harbourer or a receiver of stolen property, who is likely to put up a strong defence in his favour. it would always be advisable to pull him in too, simultaneously with the criminal and under the same section, though on a separate report. If evidence against the harbourer is insufficient, efforts shall be made to delay his discharge till termination of the criminal's trial.

Preparation of Badmashi Cases.—It should be remembered that the whole case being based on mere reputation and not on any offence actually committed, it requires extra keenness and diligence to work out a case under this section. According to the Police Rules, this duty devolves on Circle Inspectors, who shall, during their periodical visits of Police Stations, collect all possible information in regard to crime committed or suspected to have been committed by criminals of the *Illaga* which, if not already mentioned in the History Sheets, should be incorporated by them under their own signatures.

It would appear that the first step towards these operations is the starting of Personal Files and History Sheets. The officers who are not fully vigilant in the matter of surveillance or are not fully keen and methodical in the maintenance of History Sheets and Personal Files can seldom achieve success in making out cases under this head. The Circle Inspectors shall during their inspections concentrate their attention on these two important records and shall personally bring them up-to-date in every respect. They shall on each such visit look up Books Nos. IX—Part III, and IX—Part V and order History Sheets for persons having two or more convictions or suspicions and Personal

Files for those who have only one conviction or suspicion so far.

During their Thana inspections Circle Inspectors shall after bringing all Personal Files and History Sheets up-to-date, sift out the names of persons against whom the requisite amount of evidence. (*i.e.*, three suspicions or convictions or both) exists and shall draw up reports in their own handwriting for operations of Section 108 J. C. P. C. (110 C. P. C.).

NOTE—It shall be the chief duty of the S. H. O. to take speedy measures for confiscation of security if the criminal continues indulging in criminal activities, after being bound down under one of the preventive sections.

CHAPTER VI.

Arrest, Custody and Challan of Accused Persons.

Arrests in Cognizable Cases.—Section 43 J. C. P. C. (54 C. P. C.) authorises every Police Officer to arrest without a warrant any person who has been concerned in any cognizable offence or against whom any reasonable complaint has been made, or credible information has been received, or a reasonable suspicion exists, of his having been so concerned. Section 44 J. C. P. C. (55 C. P. C.) vests S. H. Os. with the powers of making arrests of suspicious strangers found lurking about with a view to commit crime, *i.e.*, of vagrants who have no ostensible means of livelihood, *c.g.*, habitual robbers, house-breakers, thieves and receivers of stolen property. The authority given under these two sections is, however, permissive and not obligatory. Whenever escape from justice, or inordinate failure, or inconvenient delay is likely to result from omission to arrest, we are bound to take the accused in our custody without waiting for proofs, but in all other cases, where there is no immediate danger of his absconding, the arrest shall be deferred till proper proofs have been collected. Even in cognizable cases, the law allows a Police Officer to apply to a Magistrate for a warrant instead of making the arrest of his own authority and this discretion shall be exercised whenever possible, especially in cases in which a grave responsibility rests upon the Police.

If the fact that suspicion rests upon a particular person has been kept secret, and there is no risk of his absconding, the Police shall defer making the arrest until the investigation is sufficiently complete, but if any interference with the liberty of the accused person is necessary to prevent him from absconding, and the facts in hand give at least a *prima facie* case against him, the Police may effect the arrest at any stage of the investigation. If fear of his absconding exists to a very large degree, as in majority of our cases, the arrest may be effected even at a preliminary or initial stage of the investigation, provided skeleton proofs at least are available to show that the individual concerned is actually connected with the offence by reason

of having been seen on or near the place of occurrence at the time of commission of offence, having made an effort to abscond from such a place; having recovered a part or whole of the property, having been found in possession of housebreaking implements or other weapons with which the offence appears to have been committed or in possession of other incriminating articles connected with the case; having on his person or in his possession clothes stained with blood and semen in cases in which this kind of evidence is relevant. There would be nothing bad in law, as long as a *bona fide* good faith is present, to apprehend a man (if there exists grave danger of his absconding away) only on one of such grounds, in the hope of the corroborative evidence following in due course subsequent to the arrest; the broad principle being that an arrest may be made as soon as *prima facie* evidence has yielded to the investigation, but as already remarked this power is permissive and not obligatory and we must use our discretion based on common sense in each case.

Arrests in Non-cognizable Cases.—In non-cognizable cases Police have no powers to make arrests of their own authority except under the following circumstances:—

(1) On completion of an investigation conducted under the authority of Section 194 J. C. P. C. (202 C. P. C.) or Section 149 J. C. P. C. (155 C. P. C.) if a warrant has been obtained as provided in Section 66 of the J. C. P. C. (75 C. P. C.).

(2) When a non-cognizable offence has been committed in the view of a Police Officer or when a person has been brought before a Police Officer under the charge of a non-cognizable offence, and refuses on demand of such officer to give his name and address or gives apparently false particulars, the offender may be arrested and detained in custody without a warrant till his correct name and particulars have been ascertained, as laid down in Section 46 J. C. P. C. (57 C. P. C.).

Method of making Arrests.—It is the duty of the Police Officer making an arrest to announce in audible voice the offence with which the accused person stands charged and if this is a bailable one, to also announce the amount and the number of securities fixed for the bail. The arrest shall be made by actually touching the person of the accused as provided in Section 35 J. C. P. C. (46 C. P. C.), followed by the routine of handcuffs and preparation of various memos. If the accused offers resistance to his arrest necessary force may be used

to secure him as authorised under Section 35 Clause (2) J. C. P. C. [46 C. P. C. Clause (2)]. If he enters a building he can be pursued into the interior of the house, under the authority vested in us by the provisions of Section 37 I. C. P. C. (48 C. P. C.); the Police can even force their way in, by breaking doors and windows under the authority given under the said section.

If the person required to be arrested is not present at the place of investigation, a *Hukmnamah Giraftari* shall be issued under Section 45 J. C. P. C. (56 C. P. C.) and served in the manner prescribed in Chapter III. If the accused lives outside the jurisdiction of the investigating *Thana*, a requisition shall be made to the Station House Officer concerned on the prescribed form and the said S. H. O. shall thereupon make the arrest, as he would do in one of his own cases.

If a Police Officer is sent out to effect an arrest outside his jurisdiction, provisions of Section 74 J. C. P. C. (84 C. P. C.) shall be applied and an endorsement obtained from the Station House Officer concerned under Clause 2 of this section before the arrest is effected.

Search of Person on Arrest.—All persons arrested by the Police and not admitted to bail shall directly on arrest be thoroughly searched as provided in Section 40 J. C. P. C. (51 C. P. C.); in the case of females such search shall be conducted by a woman, and shall in all cases be conducted with due regard to decency as prescribed in Section 41 J. C. P. C. (52 C. P. C.). Sikh prisoners shall not be deprived of their *Karas* nor *Hindus* of their sacred threads. Similarly Soldiers and Policemen may retain their shoulder titles, badges of rank and medal ribbons. A memo known as *Fard Jama Talashi* giving an inventory of the articles found on the person of the accused shall be prepared as laid down in Chapter III under Head "Arrests" and signed by the investigator and witnesses of the search. Such of the articles, as are not connected with the case, shall be taken into possession and sent to store-room for safe custody, till the close of the investigation. If a weapon of offence is found on the person of the accused, he shall be at once disarmed under Section 42 J. C. P. C. (53 C. P. C.). The accused's full particulars and description, and the state of his health, shall be noted in the Case Diary.

In cases in which identity and antecedents of an accused person are in question, a search slip and a *Naqsha Tasdiq Sakunat* shall be sent to the Finger Print Bureau and the Police Station of his

residence respectively, with a view to ascertain his particulars and convictions.

Intimation of Arrests.—Reports of arrests made by the Police shall be sent to the Nazim under Section 51 J. C. P. C. (62 C.P.C.) on the prescribed post-cards in the form given in the appendix. An additional post-card shall be sent in each case to the P. A., Central Police Office, who will forthwith forward the same to the Chief Justice. Similar cards shall be despatched in cases of arrests effected outside the boundary of Jaipur State at our instance as well as of those arrested by an outside Police within the limits of Jaipur territory.

Bail's.—In cases of bailable offences, the following procedure shall be followed:—

If an accused person is charged with an offence in which bail may be lawfully taken by the Police, it shall be the duty of the Police to facilitate any attempt to find bail for such person.

For purposes of releasing accused persons on bail, the Police Officer conducting the investigation shall fix a suitable sum and shall call upon the surety or sureties, as the case may be, to sign the bail bonds, which shall in every case be attested by the officer admitting the bail. For purposes of fixing the sum and number of securities, the officer shall have regard to the accused's status, his antecedents, and the gravity and severity of the offence with which he stands charged. Sureties should be selected with due regard to their respectability and position and it should be ascertained in each case, by local verifications, that a surety actually possesses property much above the value of the sum fixed for the bail, a note of which fact shall be recorded on the back of the bail bond in the handwriting of the Police Officer admitting the bail.

Bails can be admitted in the following circumstances:—

(1) When a person accused of a bailable offence can give good and sufficient bail, the Police must accept it unless a court having jurisdiction directs the arrested person to be brought before him prior to being bailed out.

Special Bail Powers.—(2) An Officer-in-charge of a Police Station may, in accordance with Sections 383 of the J. C. P. C. (497 C. P. C.), at any stage of an investigation, release on bail or recognizance a person accused of a non-bailable offence when it appears to him that there are not reasonable grounds for believing

that such person has committed the offence of which he is accused, although sufficient grounds may exist for further investigation. Section 383 J. C. P. C. (497 C. P. C.) as amended in 1923 gives a further option to the S. H. Os. for the unconditional bailing out of accused persons in all non-bailable offences, barring those which are punishable with death or life imprisonment. In cases of women, sick and infirm persons and boys under 16 years of age, even the condition of offence being other than that punishable with death or transportation has been waived. This power, however, shall not be used for the present by our S. H. Os., unless under the written orders of a Gazetted Officer of Police, who should record his reasons in the said orders for authorising this procedure.

It should be remembered that the powers of Police with regard to accepting and admitting bails is confined to the period of Police custody only, *i.e.*, first three days after the arrest of the accused allowed to us by the provisions of Section 50 J. C. P. C. (61 C. P. C.). Once the accused has been placed before a Magistrate for a remand or trial under Sections 160, 163, 166 or 265 J. C. P. C. (167, 170, 173 or 344 C. P. C.) as the case may be, the Police Jurisdiction automatically ceases and thereafter the accused cannot but be treated as a Judicial Prisoner placed in charge of the Police on behalf of the Magistracy. If, therefore, a bail is offered after a remand or an adjournment has been obtained under Section 160 J. C. P. C. (167 C. P. C.) or Section 265 J. C. P. C. (344 C. P. C.), as the case may be, the S. H. O. must refer the sureties to a competent Magistrate although the accused may still be in Police custody.

Re-arrest.—No Police Officer has power to re-arrest an accused person who has once been released on bail under the provisions of Section 383 J. C. P. C. (497 C. P. C.). When re-arrest is deemed necessary, the Police shall apply to a court of Sessions or the Chief Court for the cancellation of the bail bond and the issue of a regular Court warrant under Clause 5 of Section 383 J. C. P. C. (Clause 5 of Section 497 C. P. C.).

Use of Handcuffs.—In case of arrests in which bails have not been admitted, the following precautions shall be taken for the safe custody of accused persons, keeping in view the general principle laid down in Section 39 J. C. P. C. (50 C. P. C.), that the person arrested shall not be subjected to more restraint than is actually necessary to

prevent his escape.

All arrested male persons must be handcuffed, if they are:—

- (a) persons accused of non-bailable offences punishable with any sentence exceeding in severity a term of three years' imprisonment;
- (b) persons accused of offering resistance or of making good their escape;
- (c) persons accused of, and previously convicted of, such an offence as to bring the case under Section 63 J. P. C. (75 I. P. C.);
- (d) desperate characters;
- (e) persons who are violent, disorderly or obstructive or acting in a manner calculated to provoke popular demonstration;
- (f) persons who are likely to attempt to escape or to commit suicide, or to be the object of an attempt at rescue.

In cases of weak aged people and of those charged with less serious offences, the Police Officer making the arrest should use his discretion on his own responsibility.

As a safeguard against escapes the belt of the constable escorting the prisoner shall be passed through the triangular handle at the end of the chain and will remain so, as long as the prisoner is outside a lock-up.

When handcuffs are used, the senior officer present shall be responsible that they fit properly and that the prisoner cannot get at the key.

Accused in Transit.—If it is necessary to pass a night on the spot or anywhere outside a lock-up with an accused in custody, a regular sentry duty shall be fixed and signatures or thumb impressions of the sentries obtained on a separate piece of paper, which shall be

custody) with a view to keep them in hand; and sick and diseased persons who, by reason of ill-health, deserve sympathy and care, a considerate treatment shall be meted out: the latter shall either be sent to the nearest Dispensary for treatment under an adequate escort, or medicines administered to them inside the lock-ups and milk and other suitable diet supplied according to medical advice.

Thana Sentry Duty.—If a person has been lawfully detained in Police custody and confined in a *Thana* or Outpost lock-up, a standing sentry shall be posted (with special regard to the protection of the lock-up) who shall be responsible for safe custody of the prisoner or prisoners locked therein. Ordinarily the lock-ups are situated adjacent to the office rooms and store-rooms of the *Thana* buildings, and therefore the position of the *Thana* sentry and the range of his march shall, unless there are specific orders to the contrary, be the front of the *Thana* so that both the male and the female lock-ups, the store-room and the office are constantly in view.

If there is no accused in the lock-up, and at Outposts which do not run lock-ups, there shall be only two constables for *Nigrani* and each shall be on duty in undress during half the day and half the night, but neither shall be expected to do more than merely keeping on the alert.

Accommodation of Lock-ups.—A notice in English and vernacular shall be hung up outside the lock-ups at every Police Station and Post showing the maximum number of male or female prisoners which the lock-up is authorised by the Council to accommodate. The authorised number shall never be exceeded; any excess shall be accommodated in a convenient building under an adequate guard.

Search of Persons on Admission to Lock-ups.—Every prisoner in Police Custody shall be searched on first admission and on every occasion when he is readmitted to a lock-up after being taken anywhere beyond the precincts of the Police Station or the Post as the case may be. Sweepers, *Bhishties* and every person other than a Police Officer having access to a lock-up shall be searched both before entering and on leaving. The search of women shall be conducted by a woman in the manner prescribed under sub-head "Arrests."

Extra Precautions for Lock-ups.—When a lock-up is in an insecure state, all male prisoners locked therein who are accused of non-bailable offences and are in sound health should invariably be handcuffed.

The lock-up door shall not be opened except in the presence of the Station Clerk or other responsible Police Officer present at the Police Station or Post as the case may be, who shall take all possible precautions to prevent a rush or escape.

Introduction of Articles in Lock-ups.—The sentry shall not allow any food or article to be passed to a prisoner in the lock-up except with the permission of the Station Clerk or other responsible Police Officer present at the Station or Post, who shall examine the food or other supplies and satisfy himself that no article likely to facilitate escapes or suicides is concealed therein or is lying within any easy reach of the inmates of a lock-up. *Pagri* and such other pieces of dress which can be used for hanging and strangulation shall not be allowed in, nor the shoes which serve as weapons of offence in cases of disturbances inside the lock-ups.

Interviews with Accused Persons.—After the first remand has been obtained under Section 160 J. C. P. C. (167 C. P. C.) the sentry shall not allow any interview by members of the public with the prisoners in Police Custody, excepting under written orders from a competent Magistrate, which shall be copied in the Daily Diary before the interview is granted. In other cases, *i.e.*, any time before the accused is produced in court, the Station House Officer may allow interviews on his own authority, but shall explain in the Daily Diary the justification and necessity of this action and shall, as a matter of duty, overhear all the conversation personally and incorporate the same in the Case Diary concerned.

The procedure laid down in the foregoing paragraph about using handcuffs and placing restrictions on introduction of unauthorised articles in lock-ups and on interviews with the accused persons is adequately covered by legal provisions of Section 39 J. C. P. C. (50 C. P. C.).

Remands and Adjournments.—72 hours is the maximum period allowed by Section 50 J. C. P. C. (61 C. P. C.) for Police Custody after which, if the investigation is incomplete, a remand shall be obtained from a competent Magistrate under Section 160 of the J. C. P. C. (167 C. P. C.). In very rare cases in which the investigation cannot be completed even within the remand period, an adjournment under Section 265 J. C. P. C. (344 C. P. C.) may be applied for after the expiry of the maximum period of 15 days allowed by Remand. It may

be noted that in case of adjournment, the person of the accused cannot be legally demanded back by the Police; and the Magistrate, unless he cares to go out of his way and records special reasons for handing back the person of the accused to Police Custody, will ordinarily transfer him to Judicial custody. Remands should not be applied for excepting in very exceptional cases in which special features justifying such a course exist. Ordinarily it shall be the duty of the Police to put up either an incomplete or a complete charge sheet in court under Sections 163 or 166 J. C. P. C. (170 or 173 C. P. C.) as the case may be within the prescribed period of three days. The same principle shall be rigidly observed in extradition cases and the incomplete charge sheet sent for record of *prima facie* evidence shall on no account be delayed beyond the prescribed limit of 3 plus 15 days.

An application for grant of remand under Section 160 J.C.P.C. (167 C.P.C.) shall be made on the prescribed form given in the appendix and shall be accompanied by the file of Case Diaries concerned.

Diet of Accused Persons.—Officers-in-charge of Police Stations shall arrange for the dieting of the accused persons arrested by the Police and detained in their custody.

The sum expended on the diet of each individual shall not exceed the scale prescribed from time to time by the State Council.

The Police shall provide for dieting on, and from the date of arrest to, and for, the date on which the accused is placed in the Magisterial lock-up.

The amount of money required for dieting and carriage of accused persons shall be spent from the Permanent Advance of the Police Station and billed against the Central Police Office by means of "*Bill Mahakmana*." The Central Police Office will recoup the Permanent Advance every fortnight and any breach of this rule on the part of the Central Police Office detected by the Station Officer shall be brought to the notice of the Inspector-General by means of a separate reference made through the Superintendent of Police.

Furnishing of Escorts.—The only occasions for *Thana* Police to furnish escorts over accused persons are:—

- (1) *En-route* from place of arrest to the Police Station.
- (2) *En-route* to and back from outside places for purposes of investigation, i.e., pointing out of places, recoveries of property, and identifications of co-accused.

- (3) *En-route* to the headquarters of the Magistrate having jurisdiction over the case concerned.
- (4) *En-route* from Police Station to a Dispensary and back in cases of sick and diseased accused persons.

Save in the last-mentioned circumstances the principle of using handcuffs as prescribed under sub-head "Arrests," shall be maintained and additional precautions taken as follows under Section 39 J. C. P. C. (50 C. P. C.).

Additional Precautions in Transit.—(1) If an accused person is violent and is strong and able to offer considerable resistance, the handcuffs may be coupled behind his back instead of in the front. In such cases, if it becomes necessary to release one of the hands, the handcuff on the other wrist should not be opened, and adequate precautions should be taken to make escape impossible and pursuit easy. In the case of more dangerous criminals, fetters should be used with the Magistrate's permission.

Journey by Rail.—(2) So far as may be practicable, the Railways shall be used for the transit of accused persons escorted by Police.

The minimum strength of escort in Railway journeys shall be:—

1 to 5 accused	.. 2 constables.
6 to 10 accused	.. 3 constables.
11 to 20 accused	.. 1 Head Constable and 4 constables.
21 to 30 accused	.. 1 Head Constable and 6 constables.

The escort shall sit on each side of the accused persons and guard the doors.

If the accused persons are aged, feeble, sick, crippled, women, children, or are accused of minor offences and are not desperate characters, or are harmless lunatics or where the number of persons, including the escort does not exceed six, they may be conveyed in ordinary 3rd class carriages.

If the number exceeds six, special instructions shall be obtained from the Superintendent of Police. Ordinarily 3rd class compartments shall be reserved according to the number of prisoners and members of escort.

If it is necessary to allow any of the accused persons or any of the escort to leave the carriage for any pressing purpose, permission may be given to do so at stations where the train stops at least ten minutes, after adequate precautions have been taken for the safe

custody of accused persons. If it is necessary to remove the accused persons owing to a railway accident or any other inevitable cause, the officer commanding the escort shall take such precautions for safe custody as may be possible.

Except as provided above, and except in cases of serious illness, no member of the escort shall leave the carriage save in the performance of his duty.

Journey by Road.—(3) The Police Officer who despatches an escort over accused persons by road shall be held responsible that a proper and sufficient escort is sent; that where the escort consists of one or two constables only, they possess equal or greater physical power to or than that possessed by the accused persons in their custody and that proper discretion is used in regard to increasing the escort in transit under special circumstances when the country is disturbed or popular feeling is excited in favour of, or against, the accused persons, or in regard to the offence committed. Accused persons should not be marched by road in the hot weather between the hours of 12 noon and 4 p.m. or when it is raining, or likely to rain heavily nor should they be marched during night hours unless it is a moonlit night and the journey is really urgent.

No property or other article shall be made over to an escort over accused persons which cannot be conveniently carried in haversacks.

The minimum strength of a Police escort over accused persons marching by road shall be:—

No. of accused persons.	Sub-Inspectors.	Head Constables.	Foot Constables
1	1
2 to 4	2
5 to 9	..	1	3
10 to 12	...	1	5
13 to 15	...	1	6

Challans.—The word ‘*challan*’ as used in Police is held to mean the act of sending up an accused to a court for trial. The accused person shall be sent to the Prosecuting Officer with a Charge Sheet. (complete or incomplete as the case may be), and its enclosures, along with the property connected with the case under a Road Certificate as

prescribed in the foregoing pages. For purposes of prosecution, an officer of the rank of Sub-Inspector shall be employed in each Court situated away from the headquarters to perform the functions of a prosecuting officer who will be ex-officio Public Prosecutor in respect of all cases which may be enquired into or are triable by a Magistrate with full powers throughout the district. The Superintendents of Police also are ex-officio Public Prosecutors in respect of all cases committed from their respective divisions for trial before the Court of Sessions. They are lawfully entitled to personally prosecute their Sessions cases in the Sessions Courts, and should take advantage of this privilege as often as convenient.

Duties of Prosecuting Officers.—(1) To prosecute cases sent for trial by Police in the Court of the Nazim and other subordinate courts.

Before putting up a case in a Court, the P. S. I. shall scrutinize the *challan* and hear the investigating officer or his representative, the complainant, the witnesses and the accused. If he is satisfied that the case is fit to stand a judicial trial, he will register it in his Register of Final Reports and produce the parties, papers and the property in Court. As far as possible the witnesses accompanying the *challan* should be examined the same day whereafter an adjournment may be obtained, if necessary.

If in the opinion of the P. S. I., the case is not fit to go to Court, he shall ordinarily return the papers to the S. H. O. concerned through his Superintendent of Police with a note mentioning the flaws and weak points and suggesting remedies as far as possible. If there is an accused person in custody with the *challan*, the Prosecuting Officer shall apply for and obtain a Remand under Section 160 J. C. P. C. (167 C. P. C.). In case the maximum period of 15 days allowed by Section 167 C. P. C. has already expired, he shall consider whether Section 383 J. C. P. C. (497 C. P. C.) should be brought into play. Before however actually bailing out an accused, he shall refer the matter to the Superintendent of Police if in station or in his absence to the Inspector of the Circle. If both the officers are out, he shall use his own discretion but shall not in any case take orders or suggestions from the investigating *Thana*.

The Superintendent of Police or in his absence the Circle Inspector shall on receiving the P. S. I.'s note issue necessary instruc-

tions for completion of the case and the S. H. O. shall thereupon proceed to comply with such instructions. On completion the case shall be sent to the P. S. I. again, and the latter shall, if satisfied, produce it in court.

While returning the papers to the Reporting Police Station, the P. S. I. shall refrain from writing any report, note or endorsement on the Charge Sheet or on any of its annexures, as an adverse remark made on an open document may adversely affect the prosecution during the course of trial. He should record his comments on a separate piece of paper which, when returned to him, shall be detached from the *challan* papers and sent to the Police Station concerned for being appended to the file of Case Diaries.

disposal. When, however, there are claimants to the property who would suffer hardship through its retention the orders of the Nazim may be sought at an earlier stage.

All weapons, articles and property received in connection with cases shall be entered by the P. S. I. in his Property Register and receipted for on the Road Certificate. When required for production in Court, such articles shall be taken by the P. S. I. in person. Animals sent in connection with cases shall be kept in the catt'e-pound, if one is provided, or with a respectable person under a "*Supardgi Nama*." In either case, the cost of their up-keep shall be recovered from the Nazim by means of a judicial bill.

When an order of commitment to a superior court is made, any weapons, articles and property capable of such treatment shall be closed in a parcel in the presence of the committing Magistrate. The parcel shall be sealed with the seal of the Court and made over to the P. S. I. who shall entrust it to one of his subordinates and the latter will thereupon be responsible for producing the same intact with unbroken seals before the superior court. The same procedure shall be followed for forwarding properties in cases of transfers and appeals.

Money and other property found on the person of an accused person other than necessary wearing apparel shall be taken charge of and passed on to the Nazim by the P. S. I. before the accused is sent to Jail. A list of such articles shall be recorded on the back of the prisoner's warrant and the P. S. I. shall see that they are made over or forwarded to the prisoner, if he is discharged, acquitted or punished otherwise than with imprisonment. If the prisoner is sentenced to imprisonment such articles shall be sent to the Officer-in-charge of the Jail or disposed of in accordance with the Magistrate's orders.

(4) On every conviction the P. S. I. shall fill in the Charge Sheet Slips and Conviction Slips provided:—

- (a) no appeal lies in the case;
- (b) the case though appealable, no appeal has been filed and the limitation has expired;
- (c) the conviction has been upheld on an appeal.

In cases where Charge Sheet Slips are retained pending the result of appeals, they shall be kept in pigeon-holes and separate intimation of the decision of lower Court sent to the Police Station concerned. On the result of an appeal being known, the Charge Sheet

Slip - shall be returned to the reporting Police Station and the Superin-

(7) To keep the Superintendent of Police informed of all important matters in connection with criminal cases under trial and to bring to his notice cases requiring his special attention.

(8) To submit a weekly diary to the Superintendent of Police showing cases sent for trial, convicted, discharged, and pending in Court during the week under report.

(9) To see that the instructions if any received from the Superintendent of Police in connection with a case under trial or a matter which requires a judicial action or order are carefully carried out.

(10) To see that instructions issued from time to time in connection with judicial bills are duly observed and payments for the judicial expenses incurred by S. H. Os., are made promptly by the Nazir of the Court concerned.

(11) To have copies or abstracts of orders discharging or acquitting accused persons in Police cases sent for the information and orders of the Superintendents.

Records of Prosecuting Office.—The P. S. I. shall with the

help of his assistants maintain the following vernacular registers:—

- i. Register of Final Reports showing results of cognizable cases and all intermediary orders passed by the Magistrate.
- ii. Register of Security for good behaviour showing results of Vagrancy and Bad Livelihood cases and all intermediary orders passed by the Magistrate.
- iii. Register of Non-Cognizable and Petty Offences, reported by the Police showing results and all intermediary orders passed by the Magistrate.

NOTE.—Registers Nos. 1, 2 and 3 shall be maintained in the form prescribed in the appendix which shall be common for all the three classes of cases.

- iv. Register of Case Property, unclaimed property and suspicious property, maintained in the form prescribed for Register XVII of Police Stations.
 - v. Register of Warrants and Summonses received for execution and service by Police, which shall be maintained in the form prescribed in the appendix.
 - vi. Despatch Register of Charge Sheet Slips and Conviction Slips, in which the date of despatch of such slips to Police Stations and Offices of the Superintendents of Police shall be recorded by the P. S. I. This shall be maintained in the form given in the appendix.
 - vii. Road Certificate Book containing 100 leaves in foil and counterfoil; the latter shall be sent to forwarding Police Station, by way of acknowledgment of the property and the *challan* received for production in Court. This book shall be maintained in the form prescribed for Book No. XVIII of Police Stations.
 - viii. Correspondence Register in the form prescribed for Book No. V of Police Stations.
 - ix. File of Standing Orders, with an Annual Index prepared in the form prescribed for Book No. III of Police Stations.
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CHAPTER VII.

Beat Point and Road Duty.

Beat Duty.—In cities and towns the Watch and Ward Duty shall be performed at night by town watchmen and supervised by the Police of the Patrolling Post concerned.

Beat Map.—A map to convenient scale shall be prepared for each large town showing the boundaries of night beats and the principal roads and lanes which intersect each beat. Beats shall be distinguished by serial numbers, and allotted to town watchmen on rotatory system. Ordinarily there will be one watchman to one beat, unless there are places where it is unsafe for a *Chowkidar* to be alone on duty and it is necessary to detail two or more men to patrol in company.

The area of each beat shall vary according to the locality, the status and character of the residents, the degree of supervision or protection required and its general importance.

The town shall be divided into divisions distinguished by letters of alphabet, each division being placed in charge of a Head Constable quartered in the Patrolling Post whose responsibilities and duties shall be explicitly stated in the local standing orders. Each divisional Head Constable shall visit every beat in his division at least twice during the night.

Within every division 2 or more beats shall be grouped for purposes of night patrols and constables deputed in pairs from the Patrolling Posts to supervise, within their sections, the Beat Duty performed by the Town Watchmen.

Beat Book.—A Beat Book shall be prepared for each town in which shall be recorded the dimensions of each night beat with the names of principal streets and lanes within its limits. Public buildings of importance, *Scrafs*, lodging houses, houses of ill-fame, of goldsmiths and others who are known to be habitual receivers of stolen property, of known bad characters, of surveillees and known criminals, liquor and drug shops, brothels and all places needing special attention situated within the beat shall be shown in the beat book, and the beat *Chowkidars* specially instructed in regard to their

responsibility regarding such places.

The hours of beat duty shall be exactly stated in the local standing orders and adapted to the seasons of the year.

City Night Patrols.—Besides the regular beat duty, nightly systematic patrols shall be told off in the City of Jaipur under N. G. Officers and Head Constables. The S. H. Os. shall go round by night at least twice a week and the Superintendent City at least once in a fortnight. These visiting and grand rounds shall satisfy themselves by questioning the constables and town watchmen that they have been properly instructed in their duties.

Duties of Beat Constables.—Beat Constables shall make themselves acquainted with the appearance of known bad characters and suspects of the town, and shall maintain an unobservant watch on their movements. Constables who can read and write may be provided with cheap note-books and encouraged to take down notes of unusual matters, or of information likely to be useful.

Policemen on beat and patrol duty shall wear uniform. They shall be alert and shall not enter into conversation with the public. If asked questions, they should reply courteously and pass on.

Appointment of Town Watchmen.—The appointment and dismissal of town watchmen shall rest with the Superintendents of Police who will maintain a register in which shall be recorded the names of all the *Chowkidars* and their particulars, as also another register for candidates for employment as *Chowkidars*. Promotion of *Chowkidars* to the rank of *Jamadar* will be made by the I. G.

The Superintendent of Police may at any time dismiss, suspend, or fine any town watchman whom he considers remiss or negligent in the discharge of his duty or unfit for the same or who is found absent from duty. In case of *Jamadars* final orders of punishment will be passed by the D. I. G. except an order of dismissal which is the I. G.'s prerogative.

No town watchman or *Jamadar* shall withdraw from the duties of his office unless he has received permission to resign from his Superintendent of Police or a higher officer, or two months have elapsed since he gave notice of his intention to resign.

Duties of Town Watchmen.—(a) It is the duty of every town watchman to keep watch and ward in the area entrusted to him.

(b) Every town watchman shall be bound to render all

assistance in his power, in case of conflagrations within the limits of a municipality.

(c) Every town watchman shall take charge of any property found unclaimed within the limits of the municipality, and hand it over to the Officer in charge of the Police Station or the Police Post, having jurisdiction.

(d) Every town watchman is bound to assist the Police in the arrest, custody and escort of accused persons.

(e) Every town watchman is bound to communicate forthwith to the Officer in charge of the Police Station or Post within the limits of which his beat is situated any information he may obtain respecting any person found lurking in such beat who has no ostensible means of subsistence, or who cannot give a satisfactory account of himself, or respecting the residence in, or resort to, any place within the limits of such beat of any person who is a noted housebreaker or thief or a habitual receiver of stolen property or who is of notoriously bad livelihood.

(f) Every town watchman shall give timely intimation to his S. H. O. in the event of any notorious bad character residing in his beat being absent at night without having given notice of his departure, or associating with individuals of bad repute, or ceasing to labour or to obtain a livelihood by honest means.

(g) Every town watchman shall keep his S. H. O. informed of all disputes which are likely to lead to a riot or serious affray, and of any intelligence he receives affecting the public peace within or near his beat.

(h) Every town watchman shall assist the Police in preventing, and may interpose for the purpose of preventing the commission of any cognizable offence or an affray.

(i) Every town watchman receiving information of the commission of, or of a design to commit any cognizable offence, shall at once communicate such information to the Officer-in-charge of the Police Station or Post within the limits of which his beat is situated and shall remain present at the scene till the arrival of Police.

(k) Every town watchman may of his own authority interpose for the prevention of any injury attempted to be caused, in his view, to any State or Municipal property, movable or immovable, *e.g.*, lamp-posts, land marks, statues, *etc.*

(1) Every town watchman shall take charge of all persons arrested by any private person under Section 48 J. C. P. C. (59 C. P. C.), and shall forthwith take any person or persons, so taken charge of by him, before the Officer-in-charge of the Police Station or Post within the limits of which his beat is situated.

(m) Every town watchman shall assist the Police in removing obstructions from public thoroughfares under Section 29 of the Jaipur Police Act (34 I. P. A.) or Municipal bye-laws in force, for the time being.

(n) Every town watchman and jamadar shall obey the lawful orders of the S. H. O. and officers higher in rank to the S. H. O.

Rural Thana Beats.—In rural Police Stations, the *Illaga* shall be divided off in two or more beats according to the number of constables available at each Police Station. Two constables shall be deputed to look after each beat; they shall be transferred every three months. Within their beats, they shall be responsible:—

- (i) for the service and execution of summonses and warrants and other lawful orders issued by any competent authority;
- (ii) for keeping a vigilant watch on the movements of bad characters, suspects, surveillees under Section 452 J. C. P. C. (565 C. P. C.), persons under security under Sections 105, 106, 107, 108 J. C. P. C. (107, 108, 109 and 110 C. P. C.), previously convicted persons, History Sheetters, members of Criminal Tribes, and *Zimmewar Mina Chowkidars*.
- (iii) for taking notice;
 - (a) of visits by outside criminals or suspicious characters;
 - (b) of developments of communal or political troubles,
 - (c) of news and intelligence affecting crime and peace;
 - (d) of outbreaks of any epidemic amongst human beings or cattle;
 - (e) of commission of offences of all kinds.
- (iv) and for reporting all matters mentioned in the preceding paragraph to their respective S. H. Os. as they occur. If there is no occurrence to report under this head, they shall, after every round report at least the general situation within the limits of the beats in regard to crime and criminals

and shall take S. H. O.'s orders with regard to any matter or matters, which he may have to give.

Rural Visiting Rounds.—The S. H. Os. and *gushti* Head Constables of rural *Thanas* shall so arrange their outdoor duties that each beat is visited by one of the two officers at least one night in a fortnight.

Village Chowkidars.—The duties of *Zimmarwar Chowkidars* have not yet been defined by the Council. A *Chowkidara* Act is under contemplation, which when enacted, will contain all the necessary information. In the meantime they shall continue doing the Watch and Ward in villages as at present without however exercising any authority or power, and without being entrusted with any responsible duty involving the question of powers and liabilities.

Point Duty.—Elementary Rules for Traffic Regulation are:—

- (a) All vehicles, including bicycles, also ridden horses, must keep to the left-hand side of the road.
- (b) A vehicle overtaking and passing another must pass it on the right-hand side.
- (c) A vehicle wishing to return must always turn round to the right.
- (d) Slow-moving vehicles, such as bullock carts, hand-carts, *etc.*, and all cattle must always keep close to the side of the road, to allow of their being passed by faster traffic.
- (e) A vehicle stopping for any purpose must do so close to the side of the road, heading in the same direction as the traffic and move on as soon as possible.

A traffic constable on duty in busy thoroughfares should stand in such a position that he can most efficiently control the traffic. This would ordinarily be the middle of the street or road or in case of junctions of roads, the middle of the *Chauk*.

A traffic constable should not stop and detain vehicles at his point for purposes of taking names and addresses or questioning the drivers or owners nor for any other purpose. Such vehicles should at once be taken away to a sufficient distance to remove all risk of a block being caused in the traffic by their temporary stoppage.

A traffic constable regulating traffic must under no circum-

stances whatever, allow himself to be provoked into losing control of his temper.

A traffic constable shall on no excuse or reason engage himself in holding conversations with other Police Officers or members of the public, except in the true and strict discharge of the point duty. If asked questions, he should reply courteously and as far as possible should supply the information, if in his possession, regarding direction and route of offices, courts, Post and Telegraph offices, Railway Station and other important places.

Signals by Traffic Constables.—The following memorandum deals with the standardisation of the signals used by Police Constables in controlling traffic:—

No. 1. To halt a vehicle approaching from the front, extend the right arm and hand at full length above the right shoulder, with the palm of the hand towards the driver of the vehicle.

Where two vehicles are approaching by converging roads, and only one is to be halted, the constable should face towards the driver of the vehicle to be halted to show clearly that the signal is intended for him.

No. 2. To halt a vehicle approaching from behind, extend the left arm and hand horizontally from the shoulder, with the back of the hand towards the driver of the vehicle.

No. 3. To halt vehicles simultaneously from front and behind, extend both arms as described in No. 1 and No. 2.

NOTE.—Signal No. 1 may be given with the left hand, and signal No. 2 with the right hand, if circumstances so require; but the method described should be adhered to as far as possible. When halting a vehicle approaching from behind, the constable must see that the signal is observed and obeyed by the driver before turning his back to the traffic, otherwise a serious accident may result.

No. 4. To bring on a vehicle, release the signal by swinging the arm forward with a circular sweep across the body until it almost touches the opposite shoulder at the same time turning slightly towards the driver to show that the signal is intended for him. The signal should be made with the arm extended, and not merely with the forearm or hand and the arm should be on a level with the shoulder throughout the motion. This signal should be used in all cases except where No. 5 applies.

No. 5. To bring on a vehicle which has been halted by signal No. 1, beckon on the driver with the hand nearest to the vehicle. If necessary, turn slightly towards the driver to show clearly that the signal is intended for him.

Hints for Traffic Constables.—(A) Never get flustered or annoyed; do not take hold of the bridles of horses unless absolutely necessary to prevent an accident or to arrest an offender.

(B) Avoid holding traffic too long.

(C) Always give drivers sufficient warning of your intention to stop the traffic by signalling to the second or third driver approaching you, so as to obviate the necessity of their pulling up short, which is liable to cause accidents.

(D) Avoid stopping heavily-laden vehicles and horses especially when going up or down an incline.

(E) Remember that:—

- I. A vehicle overtaking another must pass it on the right or off-side.
- II. A State car carrying members of the Ruling Family, Ambulance cars and fire engines must be given precedence over all other traffic.
- III. Stopped traffic must back behind the refuge in order to give pedestrians enough of room to cross the road.
- IV. Waiting vehicles must not be allowed to cause obstruction. If necessary drivers should be directed to wait in side-streets or go away until required.
- V. Slow-moving traffic must keep to the near side as far as possible.

(F) Report all accidents at your Police Station. If it is necessary to take down names and addresses of drivers of vehicles, have the latter drawn up close to pavements.

(G) For purposes of regulating motor traffic efficiently, you must train your eye in the power of observation so as to take instantaneous notice of:—

1. A motor vehicle more than three and half tons in weight fully laden.
2. A motor vehicle not fitted with pneumatic tyres.
3. A motor vehicle running with defective fittings, especially brakes, horn, steering apparatus and lights.

4. A motor vehicle running without proper registration No. on Number plates or bearing plates which are not of the standard size or shape or are defaced.

Standard number plates are of the following descriptions:—

For State Motor Vehicles:

Red ground with yellow lettering and *Pachiranga* flag.

For Trade Motor Vehicles:

Green ground and white lettering.

For Private Motor Vehicles:

Black ground with white lettering.

For Motor Vehicles plying for hire:

Blue ground with white lettering.

Figures, $3\frac{1}{2}$ inches high, composed of strokes $\frac{3}{4}$ inch thick.

Letters, $2\frac{1}{2}$ inches high, composed of strokes $\frac{1}{2}$ inch thick.

NOTE.—A space of half an inch shall be left between each figure or letter, and a margin of half an inch at the top, bottom and sides of the plate.

In case of a motor cycle the above dimensions shall not be reduced to more than half.

5. A motor vehicle running without a silencer.
6. A motor vehicle giving emission of smoke or vapour.
7. A motor vehicle which does not exhibit the registration plates conspicuously; or in the case of a motor vehicle plying for hire, also the road certificate.
8. A cycle towed or drawn along a motor vehicle.
9. A motor vehicle carrying passengers on unauthorised seats.
10. A motor vehicle carrying a passenger on the right of the driver.
11. A motor vehicle running at a higher speed than the limit prescribed.
12. An unlicensed driver or a driver not in possession of a driving license while driving; or a driver under 18 years of age.
13. A driver who does not make way for a faster vehicle overtaking him from behind.
14. A driver who does not slow down when turning to a direction or approaching a junction of roads.
15. A driver who does not blow his horn when turning or approaching a junction of roads.

16. A driver who passes a vehicle on the wrong side.
17. A driver who does not give due warning of his intention to turn to a direction or fails to give the prescribed signals or gives wrong or misleading signals.
18. A driver who negligently or wilfully disobeys Police signals.
19. A driver who suffers his motor vehicle to stand in a public place without reasonable excuse.
20. A driver who drives on a foot-way or path, or a narrow street not open to motor traffic.
21. A driver who drives his motor vehicle in a reckless or negligent manner endangering safety of human beings or animals.
22. A driver who reverses his motor vehicle a longer distance than is actually necessary.
23. A driver who takes his motor vehicle on a road under repairs.
24. A driver who is drunk or sleepy while driving a motor vehicle.

NOTE.—If you happen to notice one or more of the above stated breaches, it is your duty to take down the number of the motor vehicle and the name and address of the driver, and report the same at your Police Station.

Signals by Drivers.—All drivers of vehicles and cyclists are strongly recommended to familiarise themselves with and to use the following signals:—

No. 1.—“*I am going to stop.*” Hold the right forearm and hand (or dummy arm) vertical, palm turned to the front.

No. 2.—“*I am going to turn to the right.*” Extend the right arm and hand (or dummy arm) horizontally straight out from the off side of the vehicle, palm turned to the front.

No. 3.—“*I am going to turn to the left.*” Extend the right arm and hand horizontally straight out from the off side of the vehicle and then carry them forward and towards the near-side with a circular sweep on a level with the shoulder.

No. 4.—“*I am going to slow down.*” Extend the right arm and hand horizontally as in Nos. 2 and 3, but with the palm turned downwards, and move the arm slowly up and down.

No. 5.—“*Come past me on my right.*” Extend the right arm and hand below the level of the shoulder and move them backwards and forwards.

Hints for Drivers.—A. Always keep your eyes open and your wits alert.

B. Always drive as you would wish others to drive.

C. Always keep yourself and your vehicle in safe driving order.

D. Always anticipate danger.

E. Learn, give and obey the recognised signals of traffic.

F. Obey the law in letter and spirit.

NOTE.—The courteous driver keeps well to the left, he does not overtake another vehicle and pass it until he is sure that the road is clear and that he has given adequate warning; he uses his warning device with discretion and exercises special care when passing animals—

G. Never overtake another vehicle at a corner, specially where there is a turning to the right.

H. Never let your vehicle stand by the circle at a junction or in the middle of the road as it is an obstruction to all others.

J. When your vehicle has broken down pull it into the side of the road and make your repairs while causing as little inconvenience as possible to the traffic.

K. While driving out in the district if you meet another motorist with a broken-down vehicle, it is your social duty to stop and enquire after his trouble and try to help him as much as you can.

L. Coming into a main street from a side-street you should do it with all precautions as an accident would be mostly due to your negligence.

M. Never accelerate the speed of your vehicle beyond the limit prescribed on signboards.

N. Never fail to switch the “lights on” at the exact lighting time prescribed on sign-boards and never drive without

lights from this hour to sunrise.

O. Never fail to dim the lights when crossing another vehicle.

Road Lining.—Whenever it is required to line a road or to police a fair on occasions of processions and festivals, constables shall be extended diagonally along each flank of the road, street, bazaar or ground as the case may be and shall be made to face inwards and outwards alternately; the numbers, positions and distances being regulated according to the needs of each occasion.

The space between two lines of constables shall be kept clear of pedestrians and cattle; pedestrians being directed to path-ways and the cattle driven into bye-lanes.

The area shall be divided into small manageable beats, each beat being entrusted to the charge of a Non-Gazetted Officer or in less important beats to that of a Head Constable. Each beat officer shall be attended by a *sowar* and a foot orderly, the former for purposes of carrying information and the latter for taking charge of unclaimed children, unclaimed property and arrested persons. In the case of an unclaimed child, if the guardian is not found or traced within a reasonable time, he or she as the case may be shall be escorted by the orderly to the nearest Police Camp and it shall thereupon be incumbent upon the Camp Officer to make suitable arrangements for the care of the child and for a proclamation of his description by beat of drum in principal lanes and streets. The cost of feeding the child and any other expenses incurred on this account will be borne by the State and charged to the Police Contingencies.

If an unclaimed property is found and taken to the Police Camp in circumstances enumerated above it shall be passed on to the Police Station having jurisdiction for being kept in the store room, till a claimant is found.

In case of arrests made during road duty for offences committed within the view of Police Officers or in cases of arrests made by private persons under Section 48 J. C. P. C. (59 C. P. C.), the beat officer shall direct the accused and parties to the investigating Police of the Police Station concerned. Both his *sowar* and his orderly shall form escorts in such cases and shall be responsible for the safe custody of the accused till he is delivered at the Police Station under a proper receipt.

In the event of an accident, the injured person or cattle, as the

case may be, shall be forthwith escorted by foot orderly to the nearest dispensary or hospital, as the case may be, while the *sowar* will go and inform the investigating Police.

Police Cordons.—In more congested parts, constable may be required to form cordons with their *Lathies* which shall be held firm at both the ends. In such cases, the extension will be ordered to four paces apart, the average length of a regulation *Lathi* being three paces. At moments of pressure constables may be made to face outwards balancing their strength on *Lathies* in order to avoid filtration through their line. In the case of a protruding crowd or a crowd which is forcibly pushing forward, constables may push them back by a gentle pressure on stretched *Lathies*, but in no case shall a *Lathi* be used for beating back a crowd, unless for reasons to be recorded and explained, Sections 124 and 125 J. C. P. C. (127 and 128 C. P. C.) have been brought into play by the Officer-in-charge.

If the Guard is not armed with *Lathies*, an equally strong cordon can be formed by holding each other's hands, and extending the arms to a convenient length but the extension in such cases shall not exceed two paces on any account.

Another method of forming cordons is the use of ropes which should ordinarily be supplied to every Police Camp at fairs and festivals and big gatherings. In thickly attended fairs and densely congested bazaars if it is required to clear the way for any lawful purpose, the rope cordon is about the most effective device which may be formed as follows:—

The men should be brought into formation of "Two Deep" and thrust into the crowd while on march, with orders of extension to as many paces as is the need of the occasion. Two ropes which have been previously arranged into a few folds, (each fold being held by a self-give-in knot) will be carried by the two rear constables. Directly the last pair has emerged into the crowd, the Officer-in-charge who shall take his position at the tail-end will give the command of "Extension" on which the rear constables will at once come to "Halt" and will dexterously pass the two ropes up holding the ends firm in their hands. As soon as two rope-lines have been formed in this way, the two ranks of constables will be opened out by another word of command, thus clearing the space between these two ranks for the procession, etc., to pass without obstruction.

Each procession shall be attended by a separate party of cordon Police headed by a non-gazetted officer whose duty it will be to regulate the conduct of the procession in strict conformity with the conditions of the license if one has been issued under Section 25 of Jaipur Police Act (30 of the Police Act).

As far as possible, a direct conflict will be avoided *en route* during the march of a procession. If the processionists have failed to comply with one or more conditions of the license, notice should be taken on termination of the procession, but no interference shall be made during the excitement of the function or when the feelings are running high.

The cordon Police shall make a cordon in the prescribed manner around the object of the procession which they shall hold in the same reverence as the processionists and their followers. The religious sentiments of the processionists shall on no account be interfered with and the members of the Guard must adapt themselves to the occasion irrespective of their own beliefs and faiths.

In the event of a communal or other scrape, the Officer-in-charge should try and persuade the procession to keep on moving and should not on any account indulge in discussions or arguments *en route* nor should he set on making an open investigation on the way, unless the circumstances render such a course absolutely inevitable.

The terminating stage of a procession or fair, as the case may be, is the most critical and hard-worked moment for a Policeman's duty. It is the time when the criminal finds his opportunity in the huddle buddle of the dispersing crowds and tries his practised hand at pick-pocketing and molestation. Though tired and fatigued after the day's hard-work, the Police shall not relax because the function is over, and should always remember that the hottest time for their action is when the crowds begin to disperse till the ground is clear of them.

The dispersal should act as a danger signal for the Police and the moment this is given they shall come to attention, recall their wits and move about briskly so as to make themselves conspicuous.

Again they will be seriously failing in their duty if men are allowed to mix with crowds of women-folk and will totally forfeit their credit for the day's good work if the dispersal is not orderly and

peaceful.

The same principle applies to the duties of the parking Police whose work is likewise hottest on release of the traffic and is best done if a strict ban is placed on conveyances and adequate safeguards are taken to ensure that they do not move out of the order in which they are parked. No conveyance should be allowed to reverse or turn, and if any one must drive to a side other than the head of the parking line and there is sufficient space along this line to allow conveyances coming up from the rear to pass without causing much obstruction to pedestrians it should fall out of the line under the direct supervision of a Policeman.

CHAPTER VIII.

Treasury and Jail Guards.

General.—Invariably a Head Constable shall be in charge of each guard who shall be held responsible for the safe custody of valuables or prisoners as the case may be.

The ordinary strength of a Police Guard over a Treasury or Jail shall be 4 constables. The guard shall ordinarily furnish one sentry excepting in places where, by reason of insecurity of the building or its fixtures or other similar causes, an additional sentry has been posted in the rear or along a flank, in which case the number of Police will be increased at the rate of 4 constables to one sentry. The Inspector-General of Police will record a Standing Order for each Guard, prescribing the position of the sentry and duration of duty, which shall be posted on the Guard Board.

Guard Registers.—The following records shall be maintained at each Guard:—

Book No. 2 — Daily Diary.

Book No. 3 — File of Standing Orders.

Book No. 5 — Correspondence Register.

Book No. 7 — State Property Register.

Book No. 13 — Minute Book.

In case of Jail Guards also a Lock-up Register.

The registers shall be written up in the manner suggested in Chapter II, by the Officer-in charge, unless he is illiterate, in which case he will have each entry recorded by a literate constable at his dictation.

Sentry Duty.—The sentry duty will be performed in accordance with the Police Drill Manual. Every sentry shall, in absence of orders to the contrary, be relieved after two hours of duty, and four constables shall be allowed for each sentry supplied by the Guard. Sentries and their next reliefs for duty shall be in uniform and accoutred day and night. During the day the next relief for duty shall sit outside the guard-room near the sentry. The sentry may stand at ease for ten minutes in every half hour of his duty. He shall challenge according to the instructions laid down in the Police Drill Manual.

When there is only one Head Constable with the Guard, he shall be accoutred and in uniform from sunrise until arms are unpiled, and also for two hours before dark every day, and while thus in uniform he shall post and relieve sentries himself. At other hours of the day the sentries shall be relieved by the Police Officers next for relief without the intervention of the Head Constable. During night hours, the Head Constable, though in undress, shall visit the sentries at least once every night between reliefs and shall mount the 3rd and 4th sentries personally.

When there are two Head Constables with the guard, each shall be on duty in uniform during half the day and half the night and all sentries shall be posted by Head Constables.

Guard Parades.—The entire guard shall be paraded in uniform, under arms every morning at sunrise, and shall be carefully inspected by the Officer-in-command, who will also read out to the constables, the orders in force relating to such guard. After inspection the arms shall be piled and the guard dismissed. The guard shall remain accoutred and in uniform for one hour when arms shall be unpiled and placed in the rack. After this and up to 6 P.M. in summer and 5 P.M. in winter, permission to leave the immediate neighbourhood of the guard for a maximum period of two hours may be granted by the Officer-in-charge to not more than one-fourth of the guard at a time.

Visiting and Grand Rounds.—When the guard turns out at night for inspection only, the Head Constable, if one on duty, and the next relief for duty shall turn out accoutred and in uniform; the rest of the guard shall turn out in undress. In case there is only one Head Constable attached to the guard, who is not supposed to be actually on duty, he may turn out only in undress. The inspecting officer shall satisfy himself that the full guard is present and that they are sober and fit for duty. He shall also satisfy himself that there is enough of oil in the Jail lantern for the rest of the night.

A vernacular copy of Standing Orders as also of the Inspector-General's instructions with regard to position of the sentry and any additional precautions ordered by him, such as strengthening of fastenings, providing additional lights, furnishing additional sentries on the roofs or along the flanks, shall be posted on the order-board of every Guard.

Station House Officers of the *Thanas* concerned shall inspect such guards at least two nights a week, and the C. I. at least two nights a month, while their day rounds will be as frequent as possible. Grand rounds by gazetted officers shall be as often as their visits to stations at which such guards are located, but if any particular guard has not been visited by them for over a quarter, reasons shall be explained in their Quarterly Inspection Reports of the Police Stations concerned and in no case another quarter will be allowed to pass without their inspection and direction.

All these visits shall be regularly recorded in the Guard Diary by the Inspecting Officers in their own handwriting.

Treasury Guards.—The Police Guard shall be responsible that no box containing cash, notes or stamps, is left at night outside the treasury strong-room or safes; and when the treasury strong-room is secured by grated windows and doors and there are no solid shutters and doors fastened over them, that bags of coin are firmly secured in the treasure-vault or in strong boxes before the treasury closes for the day. If any such box is left outside the strong-room, or if, in cases where the strong-room is secured by grated windows and doors only, any bags of coin are left out of the vault otherwise than secured in boxes when the treasury closes for the day, the officer commanding the guard shall at once report the fact to the Nazim after recording the same in the Guard Diary.

Admission to Treasury Room.—No one except the Officer-in-charge of the treasury shall be admitted into the treasury after the work of the office concerned has closed for the day, without a written order from the T. O., which shall be first copied in the Guard Diary for information of the S. H. O. and the Superintendent of Police concerned.

A copy of these rules shall be hung up at all Treasury Guards, besides other orders directed to be pasted on the guard order-boards.

Jail Guards.—The responsibility of the Police Guards on rural Jails is limited to the safe custody of persons therein confined, and they shall not concern themselves with the feeding of prisoners which is the purview of Nazims.

Search of Inmates of Jails.—All persons admitted to Jail shall be thoroughly searched.

Sikh prisoners shall not be deprived of their *karas* nor Hindus

of their sacred threads. Similarly, soldiers and Policemen shall be left in possession of their shoulder titles, badges of rank and medal ribbons. Medals, however, being valuable articles, shall be taken into safe custody.

In the case of females such search shall be conducted by a woman and shall in all cases be conducted with due regard to decency.

Every prisoner in judicial custody shall, besides being searched on first admission, be searched on every occasion when he is readmitted to the judicial lock-up after being taken anywhere beyond the precincts of the Jail.

Sweepers, *bhishtis*, and every other person (other than members of the Police Guard, the Nazim, or other officers having lawful access to a Jail) shall be searched both before entering and on leaving the Jail. All such visits shall be punctually and unfailingly recorded in the Guard Diary. If besides the Nazim, there is any other official of the magistracy authorised to enter the Jail for purposes of feeding, etc., e.g., a *Nasir*, he may be allowed to enter without being subjected to a search, provided that written orders have been previously passed in this behalf by the Nazim which have been duly copied in the lock-up register.

Handcuffs inside the Jails.—Ordinarily prisoners in Jail shall not be handcuffed, but if a Jail is in an insecure state, all male prisoners who would be liable to be handcuffed, if in Police custody, shall be handcuffed while confined in judicial lock-ups.

Count of Prisoners.—A count shall be taken every morning and evening of the prisoners, in every out-station Jail. At the evening count, the number of prisoners in each ward of the Jail shall, besides being shown in the Diary, be entered in the Lock-up Register by the Officer Commanding the Police Guard.

Interviews with Prisoners.—No interviews shall be allowed to prisoners, except under an order in writing from the Nazim. If and when so allowed, the number and date of the order shall be quoted in the Guard Diary, before the interview is granted.

Introduction of Articles in Jails.—The sentry shall not allow any unauthorised article to be passed to a prisoner inside the Jail. Articles which are likely to facilitate suicides or escapes shall not be allowed to remain in or near the Jail or within any easy reach of prisoners.

CHAPTER IX.

Supervision and Inspection.

Duties of Circle Inspectors.—The supervision by a Circle Inspector shall extend to all matters connected with the working and discipline of subordinate Police in the circle and he shall be held directly responsible for their efficient working and good discipline. He shall also be responsible for the prevention, registration, investigation and detection of crime within his circle.

The principal duties of a Circle Inspector are:—

- (a) To spend at least 60 days in each quarter away from headquarters, touring in his circle, acquiring local knowledge, gaining the confidence of the people and supervising the work of his subordinates. He shall frequently visit the Police Stations in his charge and tour in the jurisdictions of those Police Stations. He shall submit reports as a result of these tours, on the general condition of crime in the Police Stations, but shall not prepare statistical returns of formal inspection reports. Formal inspections of Police Stations will be made by the Superintendent, who may use the Inspector to assist him in checking the less important registers.
- (b) To proceed, without awaiting orders, to the scene of any offence of a serious nature or where it may appear that the Sub-Inspector requires assistance or supervision, and to take over the investigation from the local Police where necessary or where so directed by the Superintendent.
- (c) To personally supervise the preparation and maintenance of History Sheets and Personal Files and to personally collect material for proceedings against bad characters.
- (d) To personally scrutinize final reports and *challans* in all Sessions. Section 30 C. P. C., and other important cases including cases under Section 108 J. C. P. C. (110 C. P. C.).

on staple crime, such as burglaries and thefts, according to classes, current in the circle, noting on the more important cases particularly in regard to any gangs at work and the measures adopted to deal with them. In such reports he shall also comment on the work of his subordinates, bringing to notice any specially good or bad detective work performed by them, or by members of the

shall maintain the following records in vernacular:—

- (a) Crime Note Book;
 - (b) Daily Diary Register;
 - (c) Permanent Note book;
 - (d) Confidential Note-book;
 - (e) Correspondence Register.
- (a) *Crime Note book*.—This book shall be maintained to contain notes regarding burglaries, thefts, absence of Criminal Tribes Members, serious crime, inquest reports and the like. Details regarding the course of investigation or brief abstracts of orders issued in all serious cases may be entered in this book, a separate page or pages being allotted to each case. From this Note-book the Circle Inspector will be able to prepare his quarterly reports due from him, *vide* Clause J of the preceding paragraph.
- (b) *Daily Diary*.—The Inspector shall maintain this book in order to show his own movements. The entries shall be serially numbered each day. From this Diary, the Inspector will be able to prepare his weekly diary, and his monthly travelling allowance bill.

- (c) Permanent Note-book.—In this book the Inspector shall enter matters which he thinks likely to be of use to himself or his successor; particulars regarding noted bad characters or any special class of crime prevalent in any particular village or villages; special preventive measures that have been found useful locally, and such like.
- (d) Confidential Note-book shall be maintained by the Circle Inspector as a permanent record of political and communal activities displayed within his Circle. From this book he will be able to prepare his Weekly Confidential Diary for submission to the Superintendent and the D. I. G.

NOTE.—In both the permanent and the Confidential Note-books, a separate page or a No. of pages shall be allotted to each subject, and an index to contents shall be given on the first page. These note-books shall contain matters of more than passing interest, forming a more or less permanent record of information, as well as a history of local conditions, but it shall not be a repetition of the Station House Officer's Note-book IX (4).

- (e) Correspondence Register.—The register shall be maintained in vernacular in the form prescribed in the appendix for Book V of Police Stations.
- (f) In addition to the books above described, every Inspector shall maintain a file book of standing orders with an index thereto as also a file for pending papers.

NOTE.—Circle Inspectors shall maintain their books in the forms prescribed for Records of S. P. Offices.

Duties of Superintendents of Police.—The Superintendent is a Divisional Officer, in charge of one or more districts, and is the administrative head of the Police in his Division. He is responsible for the working of the Police Stations, Out-posts, and Standing Guards under his charge and for the discipline of subordinates attached to his Division, including the members of the Prosecuting Staff.

His chief duties are:—

(i) Inspection of Police Stations, Out-posts and Standing Guards within his charge, and preparation of Quarterly Inspection Reports in the manner prescribed below.

(ii) Spending at least two-third of the cold weather in his

crime by means of a Weekly Diary.

Records of S. P.'s Office.—The following records shall be maintained in the office of every Superintendent of Police:—

1. Register of Standing Orders.
2. Miscellaneous Store Register.
3. Cash Register.
4. Correspondence Register—English.
5. Correspondence Register—Vernacular.
6. Posting Register.
7. Defaulters' Register.
8. Order Book.
9. Proclaimed Offenders' Register.
10. Proclaimed Offenders' List.
11. File of Hue and Cry and other Notices.
12. File of descriptive rolls of offenders wanted by other Divisions or Provinces, information whereof has been received through the State Gazette or Criminal Intelligence Gazettes of other Provinces.
13. Police Files.

(1) A Register of Standing Orders shall be maintained in two parts in the office of every Superintendent.

All general orders of a permanent character affecting the duties, procedure and practice of the Police, explaining the rules of the Department, the effect of the decisions of courts, or of law, as affecting offences, offenders and the Police, shall be entered in full in this register; those issued by the I. G. in Part I, and others in Part II.

An English copy of every order issued by the Superintendent of Police himself shall at the time it is issued, be forwarded through the Deputy Inspector-General to the Inspector-General for information.

An annual alphabetical index to the Standing Orders of the past year shall be entered in the register every September and a copy issued to each Police Station.

Repeals and modifications of Standing Orders shall be noted in the column of remarks.

The entries of Standing Orders Register shall be revised every September and instructions sent to Police Stations by the end of that month.

(2) A Miscellaneous Store Register shall be maintained con-

(6) A Posting Register containing the names of Head Constables and Foot Constables attached to the Division shall be maintained as a permanent record in the office of every Superintendent.

(7) A Defaulter's Register shall be maintained in each Superintendent's Office for record of minor punishments awarded to constables and head constables by Superintendents, Inspectors and Sub-Inspectors on their own authority. Punishments of drill and fatigue, warnings and such other minor punishments, as do not find a place in the Service Rolls, shall be entered in this Register and referred to, for purposes of determining enhanced punishments for subsequent faults.

In the event of a subsequent fault, the serial number of this entry shall ride over the number of his previous bad entries, the latter being shown in red ink. A 4th fault renders the defaulter liable to a major punishment, irrespective of the nature of offence and therefore, three is the maximum number of entries which can be made against one particular defaulter, in this Register.

The form of this Register has been prescribed in the appendix.

(8) A Vernacular Order Book of the size of a quarter sheet of country paper shall be maintained as a permanent record in the

office of every Superintendent.

All orders relating to parades, inspections, drills, punishments, reliefs, transfers, standing guards, leave deductions, payments of money, or those connected with the internal economy or discipline of the force shall be entered in this book in the manner prescribed for entries of I. G.'s Order Book. The form has been prescribed in the appendix.

(9) and (10) A Proclaimed Offenders' Register and a List thereof shall be maintained in each Superintendent's Office, showing names and particulars of proclaimed offenders who are residents of the Division, with particulars of the cases in which they are wanted. These shall be maintained in the manner prescribed for Proclaimed Offenders' Register and Proclaimed Offenders' List of Police Stations, but need not contain the names of offenders who, though proclaimed in the division, are not its permanent residents.

A copy of this list shall be exhibited in the S. P.'s Office and another at the entrance gate of the office building, and rewards, if any have been offered for the apprehension of such offenders, shall be widely published. If necessary, additional lists may be put up on Municipal and Court sign-boards.

In the beginning of every year, the S. P. shall revise the Register and the List under instructions given in Chapter II, and forward a copy, corrected up-to-date, to the Central Police Office.

(11) and (12). When a Hue and Cry notice or a notice regarding an unidentified corpse, a missing person, an unclaimed, lost or stolen cattle or property or a printed notice containing descriptive rolls of more important offenders is received in S. P.'s Office for publication in his Division, the Superintendent shall have a sufficient number of copies made in his office by duplicating process for rapid circulation in such of the Police Stations where publication of the notice is likely to serve a useful purpose.

Where a notice is required to be published outside the Division, the Superintendent shall send only one copy to the Superintendent of the division concerned and the latter in his turn shall have sufficient copies drawn up and distributed in his Police Stations and Posts. Where necessary a copy of the notice shall also be sent to the Central Police Office for publication in the State Gazette particularly in cases of novel and professional offences.

Office copies of such notices shall be preserved in the Superintendent's Office in two bundles. Bundle A shall contain office copies of notices received from Home Police Stations and Bundle B those received from outside. Annual serial numbers shall be given to each class in each bundle.

Superintendents shall compare the notices with a view to tracing missing persons, owners of unclaimed property and establishing identity of unidentified corpses and shall note the results in the column of remarks.

(13) *i.* Case Diaries shall be filed in the office of the Superintendent of Police in the order of dates, with the first information report of the case in question.

ii. In the record room of each District Police Office, there shall be an almirah containing three rows of pigeon-holes, each row containing as many pigeon-holes as there are Police Stations in the District.

A set of three pigeon-holes shall be allotted to each Police Station:—

(a) In the upper row shall be kept complete cases, in which the final report or charge sheet has been received, and papers connected with cases which have previously been removed from the almirah.

(b) In the middle row shall be kept first information reports in pending cases and case diaries which have been duly sorted and placed in order of dates.

(c) In the lower row shall be kept unsorted papers connected with pending cases.

iii. The files of cases under investigation or pending shall be removed from the middle row and placed in the upper row, as soon as their final reports have been received and filed.

The papers in the lower row shall, as far as possible, be sorted daily and placed with their respective first information reports in the middle row.

(1) At the end of each month, or sooner if convenient, the cases in the upper row, which are no longer pending, shall be sorted and divided into separate packets as follows:—

(a) All traced cases and untraced bailable cases, including cancelled cases.

(b) Untraced non-bailable cases in which action under Section

398 J. C. P. C. (512 C. P. C.) has not been taken.

(c) Untraced bailable and non-bailable cases in which action under Section 398 J. C. P. C. (512 C. P. C.) has been taken.

Each packet shall be placed in the record room in the current year's bundle of the Police Station concerned.

A list of all the first information reports contained therein shall be kept with each packet under (b) and (c).

In (a) packets the cases shall be arranged in order of the serial numbers of the first information reports.

(2) At the end of the current year the packets in the current year's bundle shall be removed and placed in other bundles in accordance with the following directions.

(3) In the record room four separate bundles of case files shall be kept for each Police Station as follows:—

One bundle for the current year's case-files, which shall contain all the packets under (a), (b) and (c) in accordance with paragraph (1).

One bundle for the previous year's case-files containing only packets under (a).

One bundle for the case-files of the last year but one, containing only packets under (a).

One bundle for the files of all cases under (b) reported during the past five years.

The bundles of each Police Station shall be tied up in *Bastas* of distinctive colours and each bundle shall be marked with the name of the Police Station and the year to which its contents belong, as follows:—

Current year—(a) (b) and (c) files.

Previous year—(a) files.

Last year but one—(a) files.

Previous five years—(b) files.

(4) The files of cases coming under (c), of all Police Stations, shall, on removal from the current year's bundle, be tied up together in one bundle in cloth of a distinctive colour.

The bundle shall be labelled "20 years bundle" and names of all the Police Stations concerned shall be entered on the label.

Such annual bundles shall be kept together in a separate part

of the record room.

(5) The packets of case-files shall be disposed of as follows:—

Packets coming under (a) will be removed and destroyed after two years.

Packets coming under (b) will be removed and destroyed after five years.

Packets coming under (c) will be removed and destroyed after 20 years.

NOTE.—The Reader shall maintain a register showing the receipt in and issue from the Record Room of all files.

Superintendent Police's Personal Records.—The following records shall be maintained personally by every Superintendent of Police:—

1. Confidential Correspondence Register.
2. Daily Diary.
3. Permanent Note-book.
4. Confidential Note-book.
5. Crime-Digest Register.
6. Crime Note-book.
7. Black Book.

(1) A separate Correspondence Register shall be maintained for confidential papers. The entries shall as far as possible be made by the S. P. in person. The method and the form shall be the same as those prescribed for Book No. V of Police Stations.

(2) A Daily Diary shall be maintained by each Superintendent of Police to show his own daily movements.

This shall be written day to day giving brief references to important work done, in respect of control of crime.

Every Saturday entries of the preceding seven days shall be copied from this Diary Register on the prescribed form and forwarded to the D. J. G. for perusal and transmission to the Inspector-General of Police.

(3) There being many matters connected with the Police administration of a district which find no place in office registers and a record of which is necessary both for the Superintendent's information and for the benefit of succeeding officers.

tendent shall maintain a Permanent Note-book. The details given below shall among others, find a place in the Note-book, each successive Superintendent adding to and revising, in his own notes, the information on record. The Deputy Inspector-General and the Inspector-General may at their Inspections, examine the books and comment on the adequacy or otherwise of the notes recorded:—

- (a) Villages specially notorious for bad characters.
- (b) Names of village officers, State employees, *Mukhtias* and *Patels* who may have come prominently to notice, with brief notes regarding each.
- (c) Names and brief accounts regarding specially notorious bad characters, their harbourers and receivers of stolen property.
- (d) Notes on settled criminal tribes.
- (e) Notes on wandering criminal gangs frequenting the Division.
- (f) Notes on fairs, periodical religious processions and other local gatherings.
- (g) A list of capable detectives for employment on confidential or important inquiries.
- (h) Other matters of permanent interest.

An index to the contents of this Note-book shall be maintained on the first page, as many pages as may be considered necessary being allotted to each subject. Subject to the above rules the information may be recorded by Superintendents in any form they deem most convenient. It should be as concise as possible, a reference being given to other files or previous papers for more detailed information.

(4) The Confidential Note-book of the Superintendent of Police, is an important register and must be kept by the officer in his personal custody.

Information of more than a passing interest shall be recorded in this book more particularly on the following matters:—

- (a) Information regarding political movements, sects, leaders, publications, and the like.
- (b) Information regarding religious sects, changes in doctrine and practice having a political significance and propaganda.
- (c) Arrival, sojourn, and departure of political suspects or

(5) A Crime Digest register, divided off by *Thours* shall be maintained in English in the office of each Superintendent.

The particulars of each cognizable offence reported to the Police shall be entered in this register in the pages allotted to the Police Station concerned.

On receipt of the counterfoil of the First Information Report the S. P. shall enter in the register as many of the particulars required as may be possible, and shall endorse on such counterfoil the word "Noted" with the date and his signature.

As investigation proceeds, he shall enter from the Case Diaries additional particulars as reported day to day and shall similarly endorse such Case Diaries.

Cases cancelled or transferred to other Divisions shall be crossed out by a red line drawn through them, and an entry made giving an abstract of the order of cancellation or transfer, with the date and the name of the officer who passed it.

At the close of each year, the register shall be totalled by groups of offences, and each group, after deducting the cases cancelled and transferred shall be totalled separately, these totals being required for the preparation of annual statistics of crime.

In the beginning of every month the S. P. shall go through all pending cases and issue necessary orders for their early disposal.

The form has been prescribed in the appendix.

(6) The Crime Note-book is a permanent record of Special Report Cases and of such other offences which bear a political significance or any other points of importance. The entries may be made in any form which the Superintendent deems most convenient, but the register must necessarily show the steps taken to trace the criminals, developments in the investigation and the effect produced by the action taken by the Police.

(7) A Black Book is maintained in every Superintendent's

6. Quarterly report on steps taken for apprehension of proclaimed offenders.
7. Quarterly Inspection Reports.
8. Quarterly notes on Sub-Inspectors and Head Constables attached to Police Stations and Out-posts (enclosure of Inspection Reports.)
9. Annual report on Sub-Inspectors and Inspectors.
10. Annual report on Criminal Tribes.
11. Annual report on large fairs and festivals.
12. Annual administration report.

(1) When information is received that a meeting is to be held to discuss matters of a political or communal nature or of an immediate public interest, the Superintendent shall depute Police in sufficient force to frustrate any desire to molest them, with instructions that one or more members of the party shall openly take notes of the proceedings. At the conclusion of the meeting, a brief report shall be sent to the I. G. from the place of meeting, stating the number of persons present, names

of principal speakers and how the meeting passed off. This report will be supplemented by a subsequent detailed report to be submitted to the Inspector-General through the Deputy Inspector-General, together with copies of the original notes taken at the meeting.

(2) and (3) On Saturdays, the Superintendent shall submit a Weekly Diary and a Confidential Diary to the I. G. through the Deputy Inspector-General. These diaries shall be prepared in the manner prescribed under sub-heads "Daily Diary" and "Confidential Note-book," respectively. The Confidential Diary shall be written on half margin, and every separate subject shall be entered in a separate paragraph and each paragraph shall be numbered seriatim.

(4) No form has been prescribed for the list of vacancies which may be prepared as deemed convenient, with a view to inform the Inspector-General of the existing vacancies in every *Thana* and Post so as to enable him to adjust the postings of lower subordinates accordingly. This list shall invariably accompany the relevant Weekly Diary.

(5) A list mentioning cases which are pending over a month on the last day of the quarter shall be submitted to the Central Police Office along with the relevant Weekly Diary. The cases pending over three months, if any, shall be written in red with a note explaining the cause of delay in disposal.

(6) At the close of every quarter, the Superintendent of Police shall submit a memorandum embodying the action taken by the local Police for the apprehension of important local Proclaimed Offenders. Efforts made and surprise visits paid in this direction shall be shown under distinct entries made against the name of each such offender, with explanations as to the cause of failure in each case.

(7) Quarterly Inspection Reports shall be prepared and submitted as prescribed in Chapter II under Head Book XIV. The form has been prescribed in the appendix. For the method of holding Quarterly Inspections, please refer to the concluding para of this Chapter.

(8) With every Inspection Report shall also be sent a Confidential Note in a sealed cover on the honesty and character of the Sub-Inspectors and Head Constables attached to the Police Station concerned.

If the reputation of an officer is found to be bad, the Superintendent shall quietly give the officer concerned a hint of the

vi. Number of members of criminal tribes convicted of offences under Chapter XVII. I. P. C. or under the Security Sections of the C. P. C. or under the Criminal Tribes Act.

vii. The amount paid during the year under report as Rewards for the arrest of absentees.

viii. Remarks on any special measures taken to enforce responsibility of *Patchs* and *Chockilars* in connection with the Roll Calls and Surveillance of members of Criminal Tribes.

ix. Number of cases traced to Criminal Tribes during the year under review. The figures of total crime shall also be shown and a percentage of the crime committed by members of Criminal Tribes calculated and incorporated in this report. Suspicions shall be added to convictions for purposes of finding the number of cases traced to such tribes.

x. Similar information regarding Special Report Cases.

xi. Remarks on any cases in which adequate punishments appear to have been inflicted especially in the cases of offenders re-convicted of specified offences under the Jaipur Penal Code, punishable under Section 21 of the Jaipur Criminal Tribes Act (23 C. T. Act), with a minimum sentence of 7 years' rigorous imprisonment. In this connection it must be remembered that in all convictions under Section 20 (1) of the Jaipur Criminal Tribes Act (under which clause the majority of Police cases are dealt with) imprisonment must be inflicted.

xii. Remarks on the Finger Print System as applied to members of Criminal Tribes and the results obtained therefrom.

xiii. Remarks on the procedure followed in connection with the control of wandering gangs and others not yet registered under the Act.

xiv. Any other matters deserving of notice.

(11) Every Superintendent, in whose Division any fairs or public assemblies of importance are to take place, shall, on the 1st August of each year, submit to the office of the Inspector-General, a list of such fairs and assemblies for the ensuing year with the dates on which they are to be held.

On the termination of each large fair or festival, the Superintendent shall submit a report dealing briefly with the state of crime, conduct of Police, loss of male or female minors, and the existence of

any excitement of a political or religious nature during such fair or festival, as the case may be. At the end of this report, the Superintendent shall also state whether the Police arrangements have been found satisfactory and whether any alterations or additions are recommended for the next celebrations of the fair.

(12) Every Superintendent shall prepare and despatch in September each year to the office of the Inspector-General of Police, an Annual Administration Report.

The report shall be a statement of facts and shall not contain suggestions or proposals for orders.

Among others, the following matters shall be entered in this Report:—

i. All matters of importance connected with the Police administration of the Division.

ii. Occurrence of serious offences and the results of, and the effect produced by, Police investigation.

iii. Reasons of increase or decrease in crime as the case may be.

iv. Matters of special interest connected with notorious gangs who have been at work during the year under review.

v. Effect of political or communal activities on the crime of the Division.

Quarterly Inspections.—1. Every Police Station and Post in a Division shall be thoroughly inspected by the Superintendent-in-charge, at least twice in each year.

2. At such inspections of Police Stations, a return for each quarter's working since the last inspection shall be made out and submitted with the Inspection Report, in the form given in the appendix, to the Inspector-General through the Deputy Inspector-General.

3. In commenting on the working of Police Stations in such inspection reports, care shall be taken to avoid basing an opinion on statistical results, percentages of convictions and similar misleading data. Nor shall strictures be passed in the report in regard to an officer's honesty and character. Such matters may be mentioned in a separate confidential note which forms an enclosure to every inspection report.

4. At such inspections, officers shall not spend more time than is necessary in examining registers, but shall rather try to make themselves acquainted with the personnel of the Police Station or Post, as

the case may be, and shall enquire into and discuss with the S. H. O., matters concerning current crime, cases and procedure.

5. They shall assist such officer with advice, direction, encouragement or warning as may be required and shall listen to and deal with any requests he or his subordinates may have to make.

The Quarterly Inspections may be completed in five instalments as follows:—

No. 1.—Parade, Discipline, Kit, Arms, Mounts, State property,

Register No. VII, Buildings and general cleanliness.

No. 2.—Store-room, Books XVI, XVII, XVIII and XIX.

No. 3.—Case work Registers I, II, IV, IX, XII, and XII-A, files of Case Diaries and Petty Offences Register.

No. 4.—Confidential Records, *i.e.*, History Sheets, Personal Files, Books IX (4), X, X-A and XI and Index of Personal Files.

No. 5.—Registers III, V, VI, VIII and XV.

Check of Cash and Property.—For checking property, the Superintendent should inspect the Store-room with the *Moharrir* of the *Thana* and take account of the cash and property in hand by referring to Books XVI and XVII. While in the Store-room, he should also satisfy himself that all the articles connected with cases have been properly labelled and clearly show the numbers of F.I.Rs., and sections of Law, as also the dates on which they were admitted in the Store-room. Particular notice should be taken of the property lying unnecessarily for a long time and orders given then and there for its disposal.

Entries in Cash Book should next be checked by referring to the relevant entries of the Daily Diary and the receipts issued from Register No. XIX.

Exits of properties should be verified by referring to the Road Certificate concerned, which will be found in Book No. XVIII, and to the reports recorded in this connection in Register No. II. The Superintendents during their formal inspections are also expected to go into the reasons of delay in recoupment of the moneys of Permanent Advance. If any particular bills have not been cashed within a fortnight and no satisfactory reasons exist for this delay, the Central Police Office should invariably be addressed on the subject.

Checking of Case Records.—Different officers have different ways of inspecting the case work Registers, but if officers of the Jaipur

complete quarter, if the crime is not abnormally high in the Police Station under inspection.

While commenting on the state of crime, clear and concise reasons should be recorded for the increase or decrease, as the case may be. In case of decrease a note should be given whether it is genuine or only a decrease on paper, due to burking of offences. In case of increase, the Gazetted Officer should record instructions for leading a campaign against the growing crime, such as a constructive scheme for night patrols; ensuring a check on the movements of criminals; a *Nakabandi* system along the border lines; or operations of Sections 107 and 108 J. C. P. C. (109 and 110 C. P. C.), as the need may be.

Checking of Conviction Register.—In connection with the Conviction Register, the Superintendent of Police shall make sure that:—

- (a) the entries are up-to-date and all convictions awarded to residents of the Police Station under Chapters XII and XV II of the I. P. C. and certain scheduled sections of other Laws have been duly incorporated in this Register. This could be verified by comparing the entries of this book with those of Book No. IX, Part II, and Conviction Slips received from the Prosecuting Office.
- (b) the last entry of a convict having two or more convictions gives reference to his previous convictions;
- (c) convicts who have died or changed their residence permanently have been duly struck off the Register.

Checking of Proclaimed Offenders' Register.—In connection with "Proclaimed Offenders," the following points must necessarily be stated in Inspection Reports:—

- (a) Whether all the absconders mentioned in the Absconders' Register against whom action has been started under Section 77 J. C. P. C. (87 C. P. C.) have been duly entered in Register No. X, No. XI and the Proclaimed Offenders' List and Register and whether History Sheets and Personal Files of such offenders have been duly started.
- (b) Whether a complete and up-to-date List of Proclaimed Offenders is conspicuously exhibited outside the Police Station building showing the amount of rewards offered in each case.

- (c) Whether a full opportunity is given to members of the public to look up this list when they visit the Police Station on any business.
- (d) Whether Constables and Head Constables remember by heart, the names, particulars and descriptions on all the Proclaimed Offenders. Every Constable and Head Constable attached to the Police Station should be directly questioned on this point.
- (e) Whether the steps taken to arrest the Proclaimed Offenders are adequate.
- (f) Whether residences of the associates and relations of Proclaimed Offenders, as noted on the top page of History Sheets, have been looked into by the local Police during their day and night Patrols.
- (g) Whether the requisite amount of evidence still exists against Proclaimed Offenders, which is sufficient to warrant convictions in the event of arrests. The orders in this connection are, that in cases of trivial nature, in which sufficient evidence is not forthcoming by reason of lapse of time, the name of the Proclaimed Offender shall be struck off the List of Proclaimed Offenders and no more time wasted on his search.

Checking of Surveillance.—In connection with Police Surveillance, remarks should be recorded, whether it is sufficient and whether the Surveillance as shown on paper is genuine. This could be judged from entries of History Sheets, entries of *Gasht* recorded in Daily Diary and in cases of registered bad characters, from monthly indexes appended to their Personal Files. The entries of *Gasht* recorded in the Daily Diary should invariably be compared with the entries in History Sheets and monthly indexes, before an opinion is formed.

Checking of History Sheets.—In checking History Sheets, the Inspecting Officer should pay his particular attention to the following matters:—

- (a) whether the top page mentions the names of associates and relations of the bad character;
- (b) whether the index of convictions is complete. This should be verified by comparing the entries with those of the Conviction Register;

Sheets " and " Personal Files."

During these periodical inspections, Superintendents of Police should further satisfy themselves that the History Sheets and Personal Files of the first three classes are duly entered in Book No. XI and of class 4 in a separate index prepared according to " Number *Dchi*;" also that men having one or more suspicions or convictions have been duly taken notice of in the way of starting Personal Files and History Sheets; this could be checked by reference to Book No. IX, Part III and Part V.

In case of Proclaimed Offenders, Superintendents of Police should satisfy themselves that entries are made in red ink in their History Sheets.

The practice of summoning bad characters to Police Stations during Gazetted Officers' inspections is wholly illegal and should not be encouraged by the Superintendents of Police. If a Gazetted Officer doubts the correctness of any entry made in a History Sheet, he is supposed to visit the residence of the *Badmash* and verify the entry personally or he may summon and consult the *Patels* or other reliable people of the *Badmash's* village, but in no case should he allow the *Badmash* being summoned to the Police Station for his interview. The most important duty of a Gazetted Officer in connection with History Sheets is to make sure that the entries of the associations are correct. This verification should be made during his village touring and additions and alterations made in the appropriate column in his own handwriting. The system of recording a brief account of History Sheetters with their *modus operandi* on separate pages appended to History Sheets should also be encouraged by Superintendents, during their inspections. They must as well make sure that bad characters who have deserved a treatment under Section 108 J. C. P. C. (110 C. P. C.) by reason of having 3 or more successive suspicions in cognizable cases within the last three years have been duly handed up to Court. This duty according to the Police Rules devolves on Circle Inspectors who, if found lacking in its performance, should be gingered up and cautioned to remain fully vigilant for taking the earliest opportunity of making out bad livelihood cases.

Gazetted Officers, while on inspection duty, should also sift out and eliminate unnecessary sheets and files from the *Thana* records and order their destruction, acting on the general principle that if a

CHAPTER X.

Privileges and Liabilities.

Privileges.—Every Police Officer enrolled under Section 5 of the Jaipur Police Act (Section 7 of the Police Act) shall receive on his appointment an Appointment Certificate under the seal and signatures of the Inspector-General by virtue of which the officer holding such Certificate shall be vested with the powers, functions and privileges of a Police Officer. Such Certificate shall cease to have effect whenever the person named in it ceases for any reason to be a Police Officer and on his ceasing to be such, the Certificate shall be forthwith surrendered by him to his superior officer, failure or omission whereof has been made punishable under Section 22 of the Jaipur Police Act (Section 28 of the Police Act); provided that a Police Officer shall not by reason of being suspended from office cease to be a Police Officer; during the term of such suspension, the powers, functions and privileges vested in him as a Police Officer shall of course be in abeyance but he shall continue subject to the same responsibilities, discipline and penalties, and to the same authorities as if he had not been suspended.

Police Officers appointed under Section 3 of the Jaipur Police Act (Section 4 of the Police Act) and enrolled under Section 5 of the Jaipur Police Act (Section 7 of the Police Act) shall be entitled to exercise authority and powers vested in them under the provisions of Sections 17, 18, 19, 24, 25, 26, 27 and 29 of the Jaipur Police Act (23, 24, 25, 30, 30-A, 31, 32 and 34 of the Police Act) and other Acts, Codes and local special Laws passed for regulating criminal procedure.

Police Officers appointed and enrolled under the Police Act shall be entitled to Rewards, Leave and Pension permissible under the Rules and in case of deaths, whilst in the actual discharge of Police duty, to pensions to their wives, children and other dependants.

A Superintendent of Police will ordinarily, besides his pay and travelling allowance, be granted a conveyance allowance at the rate of Rs. 50 per mensem, if he maintains a motor vehicle for touring

purposes.

A Superintendent of Police will ordinarily be allowed, free of charge, the services of two Constables, one to serve him as Office peon and the other as his personal orderly.

An Inspector of Police will ordinarily be allowed, free of charge, the services of a Constable to serve him as his personal orderly.

Upper subordinates will ordinarily be granted conveyance allowances at the following rates:—

Rs. 20 per mensem, for a Horse.

Rs. 10 per mensem, for a Camel.

Rs. 5 per mensem, for a Cycle.

Upper subordinates will ordinarily be provided with free married quarters or a house rent in lieu thereof.

Lower subordinates will ordinarily be quartered in Police barracks, free of charge.

Officers and men working in the C. I. D. will ordinarily be granted duty allowances at the following rates:—

Superintendent	..	..	Rs. 50 P.M.
Inspector	..	..	Rs. 15 P.M.
Sub-Inspector	..	..	Rs. 10 P.M.
Head Constable	..	..	Rs. 5 P.M.
Constable	..	..	Rs. 3 P.M.

Lower subordinates working in the urban Police Stations at Jaipur will ordinarily be granted City allowances at the following rates:—

Head Constable	..	..	Rs. 3 P.M.
Foot Constable	..	..	Rs. 2 P.M.

Gazetted Police Officers shall be entitled to enter Jails at any time for any purpose connected with the discharge of their duty.

Subordinate Police Officers shall be entitled to enter Jails in uniform for any purpose connected with the discharge of their lawful duty, provided that they shall not be entitled to interrogate a prisoner without an order in writing from the *Nazim* or *Faujdar*, as the case may be, addressed to the Superintendent of Jail.

Every Police Officer shall be entitled to free medical attendance at the Police Hospital. Officers of the rank of Sub-Inspector and

upwards, shall be entitled to free medical attendance in the Districts..

Police Officers of the rank of Sub-Inspector and upwards shall be entitled to chairs when visiting superior officers of all departments.

Sub-Inspectors and Inspectors shall be treated with the consideration due to their ranks, and shall not be addressed with the word "*tam*" during their official dealings with superior officers. Both in conversation and in correspondence, they shall be entitled to be addressed with the word "*Ap*" or "*Raj*" or any other equivalent word, which common courtesy and rules of etiquette demand.

Sons and real brothers of Police Officers shall be given prior claims to appointments in the various ranks of Police department, provided that they possess at least the minimum qualifications and do not fall too below in the order of merit in competitions which are held for the purposes of making selections for such appointments.

Protections.—Police Officers of and above the rank of Head Constable, 2nd grade, shall not be prosecuted on private complaints except with the previous permission of the Inspector-General obtained under Section 188 J. G. P. C. (197 C. P. C.), and such permission shall ordinarily be refused unless the Inspector-General has satisfied himself in advance by a local enquiry conducted in person or through a Gazetted Officer that the facts constituting the alleged offence actually warrant the necessity of such a course and that the failure to hand over the defaulter to a Court is sure to lead to a miscarriage of justice.

Under Section 33 of the Jaipur Police Act (Section 42 Police Act), no action or prosecution shall be instituted against a Police Officer at the instance of a private person for anything done by him in his public capacity after three months have elapsed from the date of the act complained of, nor shall such an action or prosecution be entertained by Courts unless a notice in writing of the proposed action and of the cause thereof has been given to the defendant at least one month before its commencement.

A Police Officer being prosecuted by a private person for an act done in good faith in public capacity which has been endorsed by his superior officers shall, at the discretion of the Inspector-General, be defended at State expense.

Under Section 30 of the Jaipur Police Act (Section 35 Police Act), any criminal charge against a Police Officer above the rank of

a Constable shall be enquired into and determined only by an officer exercising the powers of a Magistrate, 1st Class, or a higher Magistrate.

For all acts done in good faith towards their duty, Police Officers shall, besides being given the fullest advantage of the legal protections afforded by Law, have the whole-hearted support of the Inspector General and the Department if called upon by Magistrates or Officers of other Departments to explain their conduct in such cases. If prosecuted for any such act, the Department shall, at the discretion of the Inspector-General of Police, undertake to engage their counsels and to conduct their defence and shall furthermore afford all possible facilities, in the way of granting leave, procuring defence evidence, deputing superior officers who have endorsed such acts to appear as defence witnesses and granting compensations in deserving cases.

Awards.—Specially appreciable and praiseworthy service rendered by Gazetted Officers of the Police shall be appreciated by means of letters of thanks issued in person by the Durbar, the Council of State or the Inspector-General, according as the nature of the work done suggests and the degree of the credit earned deserves.

Good and commendable pieces of work done, spasmodic efforts displayed, and extra keen and vigilant duties performed by enrolled Police Officers shall be appreciated by grants of Commendation Certificates, Special Commendation Certificates, special promotions and monetary rewards.

Good Conduct Stripes.—In addition to the various kinds of rewards mentioned in the preceding paragraph, good conduct stripes not exceeding three in all and not more than one at one time may also be conferred upon Constables for conduct displaying exceptional address, acuteness, fidelity or courage or which appears to be specially praiseworthy or as a reward for continuous exemplary conduct during a long period of service. These stripes shall be worn on the sleeve of the right arm, half way between the elbow and the wrist and when the number of such stripes comes to three, the recipient, except in case of real necessity, shall be exempted from all sentry duty.

Commendation Certificates.—When an Enrolled Police Officer renders ready and efficient assistance in the investigation of a criminal case, the arrest of a criminal or the preservation of law and order, or gives valuable information, the Inspector-General or the Deputy

Inspector-General, as the case may be, may in addition to, or in lieu of any other reward, grant such Police Officer a Commendation Certificate of 1st, 2nd or 3rd Class, as the nature of the work done suggests and the power of the granting authority permits.

Special Commendation Certificates.—Special Commendation Certificates may be granted to Enrolled Police Officers and members of the Police ministerial staff for conspicuous good work done uniformly throughout the year or for a duty performed on important State functions and big festivals, when such Certificates are issued simultaneously to a large number of Police Officers, in recognition of extra duties performed on such occasions.

Special Promotion.—Where possible, with due regard to the rules in force regarding promotions, a specially good service may be rewarded by a special promotion.

Cash Reward.—Rewards in cash or of articles of value may be granted to enrolled Police Officers and members of the Police ministerial staff for exceptionally good work done in connection with the administration of Law, the maintenance of peace, safety and good order or for conduct displaying exceptional address, keenness, acuteness, industry, fidelity or courage.

An enrolled Police Officer instrumental in the arrest of an absentee member of a Criminal Tribe will ordinarily be entitled to a minimum reward of Rs. 3 and in that of a Proclaimed Offender to a minimum reward of Rs. 5.

When an Enrolled Police Officer acts with conspicuous courage in saving or attempting to save a human life; in attacking a gang of armed dacoits or resisting an attack made by the members of such a gang or by armed robbers, burglars, thieves or rioters, heavy monetary rewards will be offered besides any other reward which may also be granted for the act of bravery.

Reward Rolls.—In each case which is deserving of grant of a reward, the Station House Officer shall personally prepare a Reward Roll in the prescribed form, within seven days of the occurrence of the incident concerned or in cases which have been sent to Court, within seven days of the receipt of information regarding conviction.

The Reward Roll shall briefly show the work done, giving reference to the paras of Case Diaries in which it has found a mention. In the open space above the table of columns, this roll shall show

the number of F.I.R. or Daily Diary, as the case may be, the date of occurrence, the date of judgement, if any, and a précis of the case. The last three columns shall be left blank for the remarks and orders of Gazetted Officers. The *Thana* file of the duplicate Case Diaries shall not be sent with the Reward Roll, as the same may be required by the Prosecuting Officer for production in the Appellate Court.

Superintendents of Police while dealing with Reward cases shall give clear and concise reasons for their recommendations in the appropriate columns of the Reward Rolls, but shall confine their remarks only to the relevant pieces of commendable work without discussing the personality of the recommendees. They shall in each case make definite suggestions for grant of different kinds of rewards, which in their opinion, have been earned by the various recommendees.

Superintendents of Police shall transmit the Reward Roll to the Central Police Office within seven days of its receipt from the Police Station and shall forward therewith their office file of the Case Diaries concerned, which shall be returned to them when done with.

These Rolls will receive the immediate attention of the Deputy Inspector-General or the Inspector-General, as the case may be, and their orders sanctioning rewards shall be promptly entered in the Service Rolls of the recipients under separate entries.

Principle Regarding Rewards.—A small sum given to a low-paid Constable is always better appreciated than big rewards granted to well-paid officers. Superintendents' recommendations should therefore be based on the principle of confining monetary rewards, as much as possible, to lower subordinates only. Although the cases of tackling, recoveries, pursuits and captures generally stand to the credit of the head of the Police party whose arrangements have led to success, the manual work which often plays a prominent part in such cases should never be lost sight of. It is ordinarily through a Constable that the first clue of a case is found, as he is the man who is put in direct communication with the accused on behalf of the officer and it is again he who actually conducts the searches of persons and houses of the accused and suspects. The lower ranks should, therefore, be held in precedence as much as possible in the matter of granting monetary rewards.

Promptness in granting rewards is another point which requires special attention of the Superintendents of Police. There is little use in

granting rewards at a stage when the recipients have nearly forgotten the incident. Recommendations should not be unnecessarily belated and when reasonable grounds do not exist for withholding or delaying such recommendations, the Reward Rolls should be submitted to the office of the Inspector-General at the earliest opportunity. In any case, captures of Proclaimed Offenders, successful operations of Vagrancy and Security sections and pieces of superior spasmodic work must be rewarded directly after the incident has occurred without waiting for trials. In other cases, the Reward Rolls may be submitted after the termination of trials without, however, waiting for the results of appeals.

In important cases and whenever possible, Rewards and Certificates will be presented personally by the Inspector-General or the Deputy Inspector-General in a general parade or on an occasion when large numbers of Police Officers and members of the general public happen to be present to witness such presentations.

For sanctioning authorities, please refer to the "Schedule of Powers" filed at the end.

Leaves.—The following kinds of leave are permissible to Police Officers under the State Rules:—

- (i). Privilege Leave.
- (ii). Sick or Hospital Leave.
- (iii). Leave without Pay and Allowances.
- (iv). Casual Leave.

Privilege Leave.—The amount of privilege leave earned is one-eleventh of the time actually spent on duty without interruption, and the total amount of privilege leave admissible at one time is limited to six calendar months.

An officer applying for privilege leave must declare that he does not intend taking any more privilege leave or resigning the service within a period of six months from the date of expiration of such leave. In case a separate declaration has not been filed with the leave application, it shall be implied that the applicant has accepted this condition and he shall not, except with the special sanction of the Council of State, be granted any further privilege leave till six clear months have passed after his return to duty.

During the period spent on privilege leave the incumbent shall be allowed a leave allowance equivalent to his substantive pay.

Sick Leave.—Sick leave may be granted up to a limit of three months at one time but not more than one year in all. For period of absence on such leave, half average salary shall be allowed unless privilege leave is also due, in which case full pay will be admissible for the portion so due, the rest of the period being paid at half rates, as allowed by the sick leave rules.

NOTE.—Sick leave may be added to privilege leave up to a maximum period of three months subject to the general rule that the aggregate period of absence shall not in any case exceed six months at a time.

Hospital leave may be granted in lieu of sick leave only to lower subordinates who may while sick in Police Hospital or while receiving medical aid as outdoor patients at the Police Hospital at headquarters or at a State rural dispensary in the *moffussil*, be allowed, at the discretion of the sanctioning authority, leave of absence from duty, subject to the rules governing sick leaves.

Hospital leave may be taken at a stretch or by instalments and may be followed by or taken in continuation of any other leave permissible under the State rules.

While on Hospital leave, an officer will be entitled to free medical attendance, the cost of medicines and his diet being borne by the State, provided that his illness has been certified not to have been caused by irregular or intemperate habits.

NOTE.—All periods spent in Hospitals shall be entered as "sick leave" in the leave statement of the officer concerned, as soon as he is discharged fit for duty.

Leave without Allowances.—Leave without pay is usually taken when no other kind of leave is due. There is no limit to the length and frequency of such leave, subject to the principal condition that no kind of leave shall exceed one year at one time. If a leave extends beyond one year, the officer concerned shall be considered out of employment, from the date on which the year of his absence has expired, which is the general rule for all the Services in the State.

Casual Leave.—This leave is of an informal nature. Ordinarily it shall be limited to 10 days at one time, but for urgent special reasons, more may be granted up to a limit of 15 days, which is the maximum allowed in one calendar year. The officer concerned shall draw full

pay and allowances during such absence. Whilst on casual leave, the officer shall be treated as if on duty for all purposes of internal discipline of the Force.

Leave Application.—Applications for leave shall be made in the prescribed form and the particulars required by such form shall be correctly and fully mentioned.

With every application for leave, a statement must be attached by the *Orderly Officer* at the Central Police Office or head clerks at Superintendents' Offices, as the case may be, giving particulars of—

(1) all leaves previously enjoyed by the applicant, in order to ascertain whether the leave applied for is permissible and due;

(2) all punishments awarded to the applicant during the last six months in order to ascertain whether the applicant is deserving of this privilege.

NOTE.—Unless specially ordered otherwise, a leave must begin within 35 days of the date on which it is granted. If time-barred, the original application may be entertained for passing orders of renewal, if so desired by the sanctioning authority.

Leave Certificate.—When a Gazetted Police Officer grants leave to an Enrolled Police Officer, he shall grant him a Leave Certificate, which will be borne by the incumbent during pendency of the leave entered therein.

Recall from Leave.—Every officer or clerk proceeding on leave shall leave with his Superintendent of Police or the Officer-in-charge, Central Police Office, as the case may be, the address to which communications should be sent to him in the event of it being necessary to recall him or to refer to him for any purpose.

If a Police Officer is recalled from leave to give evidence, the time spent by him on his journey to a Court and back and in attending the Court will be counted as a part of the leave. If an officer applies for leave and his evidence is expected to come up whilst he is on leave and he will have a long journey to reach the Court, the sanctioning authority will consider whether the commencement of the leave should not be postponed till the applicant has given his evidence.

Principle Regarding Leaves.—So far as exigencies of the service allow, the maximum leave admissible by rules should be granted. The most objectionable practice of obtaining a few days' leave in the first instance and then starting sending telegrams for extensions, which

exists at present among subordinates, must be discouraged and as much as possible, full dues should be given at the outset, so as to minimise the chances of extension applications.

If an officer cannot be spared, the leave should certainly be refused, but if he can be spared and the leave is due, there is little reason why he should not be allowed to enjoy it full, unless he is under a Black Mark.

Fullst discretion may, however, be exercised by the sanctioning authority in regulating the times at which leave may be given, and in exercising such discretion, the advantage of the State, the interest of Police work, and the convenience of the Officer concerned will be taken into consideration.

It may be noted that leave of whatever kind cannot be claimed as a matter of right and can only be granted subject to the exigencies of the service. If, however, a medical certificate is submitted in support of an application for leave, the leave will ordinarily be granted.

With the exception of an indispensable sick leave or a casual leave of short duration to attend to very urgent private affairs, no leave shall be granted to probationers and recruits until they have passed the prescribed examinations and have been confirmed in their appointments.

Except in special cases of urgency, more than one-tenth of the number of Police Officers attached to an Out-station Office, Police Station, Post or Guard shall not be allowed to proceed on leave at one time.

Lower subordinates shall not take with them on leave (except in cases of Casual and Hospital leave) any State property, such as articles of uniform, equipment, accoutrements, arms, etc.

No officer while on leave shall take service under any other employer, nor shall he engage himself in any trade or business without obtaining permission of the Inspector-General in case of Enrolled Police Officers, and the Council of State in case of Gazetted Police Officers.

Police Officers obtaining leave shall obey the orders of the Inspector-General in the same manner as they would if not on leave. If recalled, they must respond to the call within seven days of the receipt of order, unless otherwise directed.

All Enrolled Police Officers shall report departures to and

arrivals from leave in Daily Diary under separate reports and in case of arrivals, it shall be clearly noted whether the officer has returned within the period allowed to him and without having overstayed his leave. Similarly if an officer has returned before time, the unspent period shall be clearly specified in the Daily Diary so as to enable the sanctioning authority to cancel the untaken portion, which shall be duly credited to the leave account of the officer concerned.

A Police Officer against whom criminal proceedings have been instituted, or a departmental enquiry is being conducted or is under contemplation, or who is under suspension or under orders of transfer, shall not ordinarily be granted any leave.

For sanctioning authorities please refer to the "Schedule of Powers" appended at the end.

Liabilities.—Every Police Officer shall be subordinate to the authorities appointed under Law.

Every Police Officer shall obey the orders of his superior Police Officer who is senior to him in rank, grade or one or more places in the same grade, also of Magistrates first-class, and Magistrates with higher powers when their orders have been conveyed to him through his own superior officer. He shall not question the propriety of the order, but may, if he finds it erroneous or unlawful, respectfully bring the fact to the notice of the officer giving or conveying such an order.

Every Head Constable and Constable shall salute all Police Officers of and above the rank of Sub-Inspectors.

Every Sub-Inspector in uniform shall salute all Inspectors in uniform.

Every Sub-Inspector and Inspector shall salute all Gazetted Police Officers, Members of the Council of State and His Highness the Maharaja Sahib Bahadur.

Every Gazetted Officer of Police in uniform shall salute his senior Police Officers, Members of the Council and His Highness the Maharaja Sahib Bahadur.

Every Police Officer on point or road-lining duty shall come to attention when His Highness, a Member of the Council of State or a Gazetted Officer of Police happens to pass him.

Every Police Officer shall be liable to perform the duty assigned to him by law, or orders and rules framed by the Inspector-General of Police under Section 9 of the Jaipur Police Act (Section 12 of the

Police Act).

Every Police Officer found remiss or negligent in performance of his duty or found guilty on a charge of misconduct displayed during the discharge of such duty shall be amenable to the penalties mentioned under head "Punishments."

Every Police Officer shall be liable to:—

1. Obey and execute all orders and warrants lawfully issued to him by any competent authority.
2. Collect and communicate intelligence affecting the public peace.
3. Prevent the commission of offences and public nuisances.
4. Detect and bring offenders to justice.
5. Apprehend all persons whom he is legally authorised to apprehend and for whose apprehension sufficient grounds exist.

Every Police Officer shall be liable to keep order on public roads and in public streets, thoroughfares, *Ghats* and landing places; and at all other places of public resort and to prevent obstruction to lawful assemblies and processions on such roads, streets, thoroughfares, and in the neighbourhood of worshipping places.

Every Police Officer shall while engaged in the discharge of his duty keep his temper thoroughly under control, shall act with courtesy on all occasions and shall take no notice of abusive or irritative language.

Every Police Officer shall act with calmness in enforcing his authority, law, or order, and shall not use more violence than is absolutely necessary.

Every Police Officer shall act with calmness in putting up his defence and shall remain respectful in answering questions put by a superior officer.

Every Police Officer shall be considered as "always on duty" and shall be liable to do duty as a Police Officer at any place within the State territory, whenever and wherever called upon to do so by a superior Police Officer.

Disabilities.—A lower subordinate shall not interview a Gazetted Police Officer except with the permission of his immediate superior. He shall not make a written representation or request to a Gazetted Officer direct unless his immediate officer has refused to forward it in

which case he will be entitled to forwarding a copy of his representation to the Gazetted Officer, while the original application shall in every case be submitted through the medium of his immediate officer. Upper subordinates shall not place improper obstacles in the way of Lower subordinates, who wish to prefer reasonable requests to Gazetted Officers.

A Police Officer shall not record comments on the remarks made by a superior officer. If a Police Officer considers that an erroneous view has been taken of his conduct or of any matter affecting his administration, he may refer the question in a temperate and respectful manner.

A Police Officer shall not make complaints against his superior Police Officers which he cannot substantiate or prove.

A Police Officer, except for the purposes of an official journey or tour, shall not order for private supplies through the Police. In the former case, if he fails to pay for private supplies or pays an inadequate price for such supplies or uses his influence to procure them, he shall at once render himself liable to punishment, besides being made to pay up the full dues.

A Police Officer shall not borrow money from or become indebted either directly or indirectly to any other Police Officer or to any agent, dependant, relation or surety of any other Police Officer. Similarly no Police Officer shall borrow money from or become indebted directly or indirectly to any person residing or carrying on business in the Division in which such Police Officer may be serving at the time provided that this Rule shall not apply to ordinary shop debts.

A Police Officer shall not, either directly or indirectly, lend money on interest to any other Police Officer or any other person within the Division in which such Police Officer may be serving at the time. All Police Officers are forbidden, under pain of dismissal, from taking heavy loans from or placing themselves under pecuniary obligations to persons and Police Officers subject to their official authority or influence, or from or to those residing, possessing property or carrying on business within the local limits of their charge. Police Officers heavily in debt, without any definite prospect of repayment, shall be liable to summary dismissal.

A Police Officer shall not accept presents and *Dalics* of any description whatever from his subordinates and from persons subject

to his official authority.

A Police Officer shall not receive complimentary or valedictory addresses in any form or accept testimonials of any kind nor attend complimentary entertainments of a formal and public character held in his honour except with the previous permission of the Inspector-General.

A Police Officer who acquires land or other immovable property either in his own name or in the name of one or more of his dependants, after having entered the Police service, shall be liable to report to the Inspector-General through his immediate officer, full particulars regarding such property, giving details of the value thereof and of the means with which it has been met.

A Police Officer shall not acquire any property or enter directly or indirectly into any transaction regarding any property in the Division in which he is serving at the time, without the previous permission of the Inspector-General. In the event of the Inspector-General's approval, the officer shall forthwith be transferred from such Division.

A Police Officer shall not engage himself in any employment, trade or office whatever, other than his duties defined in the Police Act, unless expressly permitted to do so by the appointing authority. Any Police Officer found so engaged without a proper permission shall be liable to punishment under Section 168 I. P. C. or Section 23 of the Jaipur Police Act (Section 29 of the Police Act) or under Departmental rules, as the circumstances of the case suggest.

A Police Officer whether on duty, leave or pension shall not edit a newspaper without the sanction of the Council of State.

A Police Officer shall not become an accredited correspondent of any newspaper without the sanction of the Council of State.

A Police Officer shall not take part in or subscribe in aid of any political or communal movement nor shall he in his private capacity attend any political or communal meeting.

A Police Officer shall not act as an arbitrator in any case without the previous sanction of the Inspector-General which shall ordinarily be refused in a case which is likely to come up before such officer in any shape by virtue of his executive office. If he is permitted to act as an arbitrator in any particular case, he shall accept no fees.

A Police Officer concerned in a case affecting his official character wishing to engage an advocate or pleader shall first obtain the

sanction of the Inspector-General in writing, who shall determine whether the case is one in which such permission should be granted and whether in that case the State should bear the expenses or a part thereof.

A Police Officer shall not apply for his own promotion or transfer. Medical officers' certificates recommending transfers on the ground of ill-health or unsuitability of climate shall not be entertained.

An Enrolled Police Officer intending to resign shall give notice to that effect in writing and shall not be permitted to withdraw himself from duty until two clear months have elapsed from the date on which his resignation was tendered, provided that the appointing authority may at his discretion allow him to credit to State, two months' pay in lieu of such notice.

Penalties.—An Enrolled Police Officer found remiss or negligent in his duty or found guilty on a charge of misconduct, misbehaviour, or culpable negligence, shall ordinarily be amenable to one or more of the following punishments, provided that he has had a full opportunity of explaining his action in regard to such misconduct or negligence, as the case may be:—

- (1) Prosecution.
- (2) Dismissal.
- (3) Reduction.
- (4) Stoppage of Promotion.
- (5) Forfeiture of Good Conduct Stripe.
- (6) Black Mark.
- (7) Censure.
- (8) Fine.
- (9) Forfeiture of Pay.
- (10) Confinement to Quarter Guard.
- (11) Punishment Drill.
- (12) Fatigue Duty.
- (13) Standing Guard Duty.
- (14) Warning.

The term, 'major punishment,' as employed in the following pages shall be held to mean any authorised punishment mentioned at Nos. 1 to 6 in which a regular departmental enquiry has preceded the award of punishment. Those mentioned at Nos. 7 to 14 shall be deemed to be "minor punishments," which may be awarded without any

formal enquiry preceding such awards.

All major punishments shall be entered in the Service Roll of the defaulter. Among other punishments those mentioned at Nos. 7, 8, 9 and 10—though not major—shall also be recorded in Service Rolls. Punishments mentioned at Nos. 11 to 14 may not be recorded in Service Rolls, but must be entered in the defaulter's book maintained in the offices of the Superintendents of Police. The records connected with awards of punishments and papers and files of enquiries regarding such cases shall be filed with the *Fonji Misals* of the officers concerned.

Prosecution.—Prosecutions may be classed under the following three heads:—

- (i) Prosecutions on private complaints in private cases.
- (ii) Prosecutions on private complaints for acts done in official capacity;
- (iii) Prosecutions on complaints preferred by the Department for acts done in official capacity as a Police Officer.

Cases falling under head (i) shall be allowed to take their normal course in accordance with the usual criminal procedure, without any interference by the Department. The officer concerned may, however, be granted leave which is permissible and due to him in order to facilitate his defence in the case.

Cases falling under head (ii) in which head constables, 2nd grade and higher Police officers are concerned, shall be referred by Magistrates to the Department and shall not be proceeded with unless the Inspector-General has allowed the Prosecution. In all such cases as well as in others which have come to light officially and which indicate commission by a Police Officer of a penal offence in connection with his official relations with the public, the Inspector-General will ordinarily direct a preliminary investigation by an officer not below the rank of an Inspector. If this investigation establishes a *prima facie* case, a Judicial prosecution should normally follow. In other cases the Inspector-General may refuse to hand up the Police Officer to a criminal court which is his lawful prerogative under Section 188 J. C. P. C. (197 C. P. C.).

During the course of a trial under (ii) the Police Officer concerned, if he is not placed under suspension, will ordinarily be granted leave of absence for purposes of conducting his defence.

If at the end of his trial, the accused Police Officer is convicted under a penal offence defined in Chapter XII and XVII, or under any other scheduled sections of the Penal Code and other Laws, to rigorous imprisonment exceeding one month, he shall ordinarily be dismissed from the force. In other cases he may, at the discretion of the Inspector-General, be dealt with departmentally.

Cases falling under head (iii) are more frequently constituted of the following offences:—

Sections 22 and 23 of the Jaipur Police Act (Sections 28 and 29 of the Police Act), and Sections 105, 108, 119, 120, 151, 158, 208, 214, 319, 320, 337, 373, 377-378, 398, 450, 451, and 463 of the Jaipur Penal Code (Sections 116, 119, 128, 129, 161, 169, 217, 223, 330, 331, 348, 384, 388, 389, 409, 465, 466, and 477-A of the Indian Penal Code).

For initiation of prosecutions in such cases the procedure prescribed above for cases falling under head (ii) shall be normally followed, but a regular departmental enquiry must necessarily precede a prosecution under this head and on no account shall a Police Officer be handed up to a court under one or more of these or any other sections of penal law, unless and until a full opportunity has been afforded to him for explaining his conduct during the course of a regular departmental enquiry.

In cases falling under this head the Department shall conduct the prosecution on behalf of the State just as it would do in a case cognizable by the Police.

An enrolled Police Officer sentenced by a criminal court to a punishment of fine or simple imprisonment, or both, or to rigorous imprisonment not exceeding one month, may be dismissed or otherwise dealt with at the discretion of the officer empowered to punish him.

In case he is punished with rigorous imprisonment exceeding one month, he shall be dismissed from the force. Final departmental orders in such cases shall be deferred until the appeal or revisionary proceedings have been decided, or until the period allowed for filing an appeal has elapsed without appellate or revisionary proceedings having been instituted.

When a Police Officer has been tried and acquitted on a criminal charge, he shall not be punished departmentally on the same charge, or on a charge based on evidence which has been rejected by a

criminal court; nor shall he, except in the circumstances described below, be convicted departmentally solely on evidence which was a part of the prosecution case in support of the criminal charge, even though such evidence was for any reason not tendered in court. In such cases the Police Officer acquitted shall be reinstated, and the orders passed in respect of the period spent by him under suspension shall be for an honourable acquittal.

When a criminal charge against a Police Officer has failed solely for technical reasons, or when the court notes the facts as suspicious, but gives the accused the benefit of the doubt or records the opinion that witnesses for the prosecution have resiled through the exercise of influence upon them, or when, though an acquittal is ordered on the main charge, facts are brought to light in the course of the trial which justify a separate departmental charge, the judicial acquittal shall not in itself be a bar to departmental action, nor shall it ordinarily be considered to be an honourable acquittal. In such cases, the Department may take such departmental action as appears warranted.

Dismissal.—The punishment of dismissal shall be awarded only for the gravest acts of misconduct or as the accumulative effect of continued misconduct proving incorrigibility and complete unfitness for Police service. In making such an award, regard shall be paid to the length of service of the offender and his claim to pension.

An Enrolled Police Officer sentenced judicially to rigorous imprisonment exceeding one month or to any other punishment not less severe, shall, if such sentence is not quashed on appeal or revision, be ordinarily dismissed.

Reduction—A Police Officer may be reduced to a lower rank or if he belongs to a graded rank to a lower position in the seniority list of his grade or to a lower grade in his rank. The reduction may be temporary or permanent in accordance as the punishing authority directs.

An upper subordinate shall not ordinarily be reduced to the rank of head constable, unless he has been promoted from that rank and is capable of performing the duties of a head constable. If he is absolutely unfitted for his position or for that of a head constable, he shall be dismissed and not reduced in rank.

A head constable reduced to the rank of a constable shall, unless

The existence of three uncanceled Black Marks shall ordinarily render the recipient liable to reduction, unless any extenuating circumstances exist. Such punishment shall cancel all existing Black Marks for the purposes of leave.

When the total number of Black Marks awarded exceeds six, after deducting one for each commendatory entry which has been permitted to count for the purpose of cancelling Black Marks, the Police Officer concerned shall be called upon to show cause why he should not be dismissed on the ground of his persistent misconduct. If the defaulter fails to refer to any extenuating circumstances he shall ordinarily be dismissed from the force.

The order awarding a punishment which involves a Black Mark shall specify the number of Black Marks outstanding against the defaulter, and when the imposition of one more such punishment renders him liable to reduction or dismissal under these rules, the order shall warn him that such is the fact.

Censure.—Censures may be recorded as independent punishments in cases of trivial nature in which it is deemed desirable to give a warning to the defaulter before a major punishment is awarded. These shall be confined only to facts and deductions from facts which constitute the charge. Superfluous and irrelevant matter shall not be entered in service rolls when recording censures.

All Censures shall be recorded as minor punishments and shall be supported by formal orders entered in the Order Book.

Fine.—A fine may be imposed on a clerk or an Enrolled Police Officer for indifferent and bad work, inefficient discharge of duty, slackness, absence or other act of grave indifference.

Not more than one month's pay shall be fined at one time or for one offence, nor shall the punishment of fine be inflicted more than twice in one year on the same officer.

NOTE.—Fines should be imposed in very rare cases and as far as possible should be avoided if other punishments can meet the circumstances of the case. In any case, greatest care shall be exercised in touching the pockets of low-paid constables, unless such a course has been rendered indispensable by reason of any special features of the case.

Forfeiture of Pay.—Forfeiture of pay automatically follows an absence which has been enjoyed by an officer without obtaining

leave. Rule 15 of the Jaipur State Leave Rules leaves no option with any authority whatever, including the Inspector-General, to forego forfeiture of pay in cases of absence. Accordingly every officer against whom a charge of absence without leave has been established must forego his pay for the period of absence, in addition to any other punishment which may also be inflicted for such absence.

Confinement to Quarter Guard.—The punishment of confinement may be inflicted on Constables for a serious breach of discipline or for an act of grave misconduct or pending the finding of an enquiry as a result of which more severe punishment is expected to follow.

Defaulters shall serve this punishment in the lock-up attached to the Police Quarter Guard. While so confined he shall perform punishment drill or may be employed instead on any authorised fatigue duty. He shall not leave the lock-up during the period of his confinement, except under escort of one or more constables in uniform, and in accordance with the order, general or specific, of an officer of the status not less than that of a Superintendent of Police.

Punishment Drill.—The punishment of penalised drill may be awarded in cases of constables who have been found negligent or slack in the discharge of their outdoor duty and it is desired that they should be chiselled and smartened in order to prove fit for active work.

Punishment Drill shall consist of ordinary Police drill with a musket and rolled great-coat for not more than six or less than four hours in any one day, with an interval of at least 30 minutes between each hour. Only such days shall be counted towards the completion of an award of Punishment Drill, on which such drill has actually been carried out.

An officer awarding Punishment Drill may direct that the constable so punished, if attached to the reserve, shall not leave the Lines, except on duty, during the days on which such punishment is to be carried out.

An officer serving this sentence may be employed on fatigue duty in lieu of punishment drill. In such cases, the time spent on fatigue duty shall be deducted from the period fixed for punishment drill.

Fatigue Duty.—Fatigue Duty may be given to constables as a punishment for bad, slow, slack or indifferent work. As regards timings and durations, the rules laid down for serving punishments of

penalised drill shall apply.

NOTE.—In case of confinement to quarters, the punishment of "drill" or "fatigue duty" shall be served by the confined constable as a necessary accompaniment to the "quarter guard" punishment.

Standing Guard Duty.—Standing Guard Duty may be awarded to lower subordinates as a punishment for bad or slow work, a poor or clumsy turn-out of uniform, or a slack, indifferent or negligent discharge of duty. The guard duty thus assigned may extend to any period not exceeding one year at one time and not more than six months for any one offence.

Warning.—Verbal warnings may be given to enrolled Police Officers in less serious cases of negligence and slackness, when the neglect is not deliberate or culpable, and it is desirable that the future career of the defaulter should not be affected.

This punishment would end as soon as the defaulter has been told off and no record shall be kept for future references.

NOTE.—Letting off with only a verbal warning on a proved charge of negligence or slackness is a rare privilege which shall not be extended frequently; in no case more than once in a year.

Punishment for Escapes.—If a prisoner escapes or is rescued from Police custody, the enrolled Police Officer immediately responsible shall forthwith be suspended from duty. A searching departmental enquiry shall at once be held by or under the orders of the Inspector-General. The object of this enquiry shall be the elucidation of all the circumstances connected with the escape or rescue and the determination of the issue whether the escape or rescue could have been prevented by the exercise of such vigilance and courage on the part of the enrolled Police Officer immediately responsible, as might reasonably have been expected; and whether it was rendered possible or facilitated by any neglect or omission of duty on the part of any Police Officer.

In order to guard against any laxity in enforcing the responsibility for escapes, the Deputy Inspector-General and Superintendents of Police shall freely exercise their powers of suspension in respect of such cases, but the final orders in escape cases shall always be passed by the Inspector-General himself.

If the enquiry establishes negligence or connivance at an escape,

thereby creating a presumption that an offence under Sections 212, 213, 214, 216, 217 or 218 of the Jaipur Penal Code (Sections 221, 222, 223, 225, 225-A or 225-B of the Indian Penal Code) has been committed, the Police Officer concerned shall be prosecuted criminally, unless the Inspector-General decides for reasons to be recorded that the case may be dealt with departmentally. In both the cases, dismissal shall normally follow a judicial or a departmental conviction.

If the enquiry establishes a case of negligence or misconduct not amounting to an offence under any of the sections of the penal code mentioned above, the case shall be dealt with departmentally, and in such circumstances, the punishment need not be necessarily a dismissal.

On the conclusion of the enquiry, if the Inspector-General finds that no misconduct attaches to the Police Officer or Officers suspended, orders of honourable acquittal will be passed.

Punishment for Desertion.—As soon as a Police Officer is found absent, a report shall be recorded in the Daily Diary and a vigorous search started to trace the absentee Police Officer.

If no clue is found within a period of 15 days, the absentee shall be classed as a Police deserter and a report submitted to the Superintendent of Police for registration of his name as such. The name of the Deserter shall at the same time be entered in a separate part of the Thana Register of Army Deserters, which shall henceforth be started for the purpose.

After waiting for another fortnight, if no clue is still found, a report shall be sent up to Court under Section 398 J. C. P. C. (512 C. P. C.) for institution of criminal proceedings under Section 23 of the Jaipur Police Act (Section 29 of the Police Act). Unless and until the Court proceedings have terminated, the name of the deserter shall not be removed from the Long Roll. On the conclusion of proceedings under Section 398 J. C. P. C. (512 C. P. C.), if the deserter still remains untraced, and the Court gives an award of desertion, formal orders of dismissal shall be passed by the officer empowered to dismiss him who will at the same time move the Inspector-General for filling the vacancy created by this dismissal.

Note.—If a Deserter appears any time after the commencement of proceedings under Section 398 J. C. P. C. (Section 512 C. P. C.), he must be handed up to the trying Court. No option can be exercised at that advanced stage.

On the termination of his trial, which has been conducted in his presence, if he is acquitted, he may quote the Court's decision in his application for appeal or revision as the case may be, which will be duly taken into consideration by the appellate or revision-

infructuous, it shall refer the case back to the Inspector-General for dealing with it departmentally and thereafter the rules contained in this chapter for award of departmental punishments will apply.

If the Chief Court directs a judicial prosecution, the Law will be allowed to take its course, and the rules framed under head, "Prosecutions," will apply.

Suspension.—Any Police Officer above the rank of head constable may suspend, pending trial, enquiry or investigation, any enrolled Police Officer junior to him in rank, who is guilty or is reasonably suspected of misconduct.

An officer may be released from suspension by a Gazetted Officer only who is empowered to dismiss or reduce him.

A Police Officer, whose conduct is under a departmental enquiry, may be placed under suspension, if it appears likely that a charge may be framed which, if proved, would render him liable to reduction or dismissal, or when the nature of the accusations against him is such that his remaining on duty is prejudicial to the public interests, or to the investigation into those accusations. Unnecessary suspensions should as far as possible be avoided, as they increase the number of non-effectives, and also involve unnecessary humiliation on the one side and waste of a working hand on the other.

A Police Officer charged with a criminal offence shall ordinarily be placed under suspension from the date on which he is sent for trial, if he has not been already suspended during the course of a departmental enquiry or preliminary investigation, which has preceded the prosecution. He will remain under suspension until the case against him is finally decided, when his release from suspension will be decided in the light of the circumstances. A Police Officer who has been arrested by order of a civil court in execution of a decree or otherwise, shall be considered as under suspension from the date of arrest, till his release from custody is ordered by a competent court.

A Police Officer shall not by reason of being suspended from office cease to be a Police Officer. During the term of such suspension the powers, functions and privileges vested in him as a Police Officer shall be in abeyance, but he shall continue subject to the same responsibilities, discipline and penalties and to the same authorities as if he had not been suspended.

A Police Officer under suspension shall ordinarily be transferred

to the Reserve Lines, Jaipur, if not already posted there. In case of a lower subordinate working in the *moffussil*, he shall instead be transferred to the Lines of Divisional Superintendents' headquarters.

An officer under suspension shall attend all roll-calls and shall be required to perform such duties and to attend such parades as the Superintendent may direct; provided that he shall not perform guard duty or any other duty entailing the exercise of the powers or functions of a Police Officer or involving the exercise of responsibility and shall not be issued with ammunition.

A Police Officer under suspension shall ordinarily be confined to Lines when off duty, but may be allowed reasonable facilities for the preparation of his defence.

A Police Officer under suspension will be given a subsistence grant. If, as a result of an enquiry, a Police Officer under suspension is punished, his subsistence grant for the time spent under suspension shall not exceed one-fourth of his pay. If he is acquitted under doubtful circumstances, the assessment of the subsistence allowance will depend upon the circumstances of the case, and if granted an honourable acquittal he will be ordinarily entitled to his full pay for such period.

Record of Departmental Enquiry.—In all departmental cases in which the alleged offence is such as to merit a major punishment, a record of enquiry shall be kept which shall contain:—

- (a) the charge;
- (b) the evidence supporting the charge;
- (c) the defence of the accused officer;
- (d) the statement of defence witnesses, if any;
- (e) the finding of the officer conducting the enquiry;
- (f) the final order.

In all cases against upper subordinates the record shall be in English throughout. In cases against lower subordinates, evidence may be recorded in vernacular, but the statement of the accused officer, the finding, and the final order shall always be in English.

The record shall be paged like an ordinary file, an index being attached to the first page.

The record, together with any orders passed in revision or appeal, shall, after the necessary entry has been made in the service roll, be filed with the personal file, known as *Fonji Misal* of the officer concerned. If the record concerns more than one officer, attested

copies of the final order shall be attached to the *Fouji Misals* of the other officers concerned.

Each record shall bear the annual serial number of the entry in the punishment register relating to the case, and a reference to this number shall be made in the remarks column of the Long Roll.

Record of Preliminary Enquiry.—Whenever a definite complaint is made of misconduct on the part of a Police Officer, the officer to whom such complaint is made shall, provided he is senior in rank to the officer complained against, immediately record it, together with such statements in support of the complaint as may be immediately available. This record shall be forwarded without delay through the usual channel to the Inspector-General of Police or other Gazetted Officer under whose immediate control the officer complained against is serving. If such officer is of opinion that the allegations in the record constitute a *prima facie* case for enquiry, he shall proceed in the manner prescribed for conducting departmental enquiries. The record referred to above shall be attached to the record of the departmental enquiry and may be used as the basis of the charge, but the statements recorded shall not be regarded as evidence; the persons making such statements shall ordinarily be called again and examined in the presence of, and tendered for cross-examination by the accused Police Officer.

Procedure of Departmental Enquiry.—The following procedure shall be followed in conducting departmental enquiries:—

The Police Officer accused of misconduct shall be brought before an officer empowered to punish him, or such superior officer whom the Gazetted Officer in charge deposes to conduct the enquiry. That officer shall record and read out to the accused officer a statement summarising the alleged misconduct giving full notice of the circumstances in regard to which evidence is to be recorded.

If the accused Police Officer at this stage admits the misconduct alleged against him, the officer conducting the enquiry may proceed forthwith to record a final order, if it is within his power to do so, otherwise shall submit his finding to an officer empowered to decide the case. When the allegations are such as can form the basis of a criminal charge, the matter shall be referred to the Inspector-General who will decide at this stage, or any time before a departmental charge is framed, whether the accused shall be tried judicially or departmental-

ly, and whether in the former case, a departmental enquiry should be held to sift out the evidence for production in Court.

If the accused Police Officer does not admit the misconduct, the officer conducting the enquiry shall proceed to record such evidence, oral and documentary, in proof of the accusation, as is available and necessary to support the charge. Whenever possible, witnesses shall be examined direct, and in the presence of the accused, who shall be given opportunity to cross examine them. The officer conducting the enquiry is empowered, however, to bring on record the statement of any witness whose presence cannot, in the opinion of such officer, be procured without undue delay and expense or inconvenience, if he considers such statement necessary, provided that it has been recorded and attested by a Police Officer superior in rank to the accused officer or by a Magistrate, and is signed by the person making it.

The accused shall be bound to answer any questions which the enquiring officer may see fit to put to him with a view to elucidating the facts referred to in the statements or documents brought on the record during the course of the enquiry.

When the evidence in support of the allegations has been recorded the enquiring officer shall:—

(a) if he considers that such allegations are not substantiated, either discharge the accused himself, if he is empowered to punish him, or recommend his discharge to the Inspector-General or other officer, who may be so empowered, or

(b) if the charge has been substantiated, proceed to frame a formal charge or charges in writing, explain them to the accused officer and call upon him to answer them.

Charges need not be framed in relation only to one specific incident or one specific act of misconduct. When reports received or preliminary enquiries made against an officer show that his general behaviour has been such as to be unbecoming of his position, or that he has failed to reach or maintain a reasonable standard of efficiency, he may and should be charged accordingly, and a finding on such charge will be a valid ground for the infliction of any authorised departmental punishment which may be considered suitable in the circumstances of the case.

The accused officer shall be required to state the names of the defence witnesses whom he wishes to be summoned and

may be given time,—in no case exceeding forty-eight hours, to prepare a list of such witnesses, together with a summary of the facts to which they will testify. The enquiring officer shall be empowered to refuse to hear any witnesses, whose evidence he considers will be irrelevant or unnecessary in regard to the specific charge or charges framed. He shall record the statements of those defence witnesses whom he decides to admit, in the presence of the accused, who shall be allowed to address questions to them, the answers to which shall be recorded. The enquiring officer may cause to be recorded by any other Police Officer superior in rank to the accused, the statement of any defence witness whose presence cannot be secured without undue delay or inconvenience, and may bring such statement on the record. The enquiring Police Officer may as well admit in defence and bring on record a previously recorded statement, if the statement-maker is not handy or available, provided that the statement has been recorded by an officer senior in rank to the accused Police Officer or by a Magistrate and has been duly signed by the person making it.

The accused may file documentary evidence and may for this purpose be allowed access to such files and papers, (except such as form part of the confidential record of a Police Office,) as the enquiring officer deems fit. The supply of copies of documents to the accused officer shall be subject to the ordinary rules regarding copying fees.

On the conclusion of the defence evidence or, if the enquiring officer so directs, at any earlier stage following the framing of a charge, the accused shall be required to state his own answer to the charge. He may be permitted to file a written statement and may be given time, not exceeding 48 hours for its preparation, but shall be bound to make an oral statement in answer to all questions which the enquiring officer may see fit to put to him, arising out of the charge, the recorded evidence, or his own written statement.

A Police Officer called upon to answer a charge of misconduct must be given every reasonable opportunity of proving his innocence. Officers conducting departmental enquiries are, however, not bound to follow the provisions of the C. P. C. or Evidence Act. They may admit any evidence which they consider relevant, and may exclude evidence which in their opinion is irrelevant to the specific charge under enquiry, or which they consider has been introduced merely to

prejudice the enquiry or to cloud the issue.

On the conclusion of the defence, the enquiring officer shall proceed to pass orders of acquittal or punishment, if empowered to do so, or to forward the case with his finding and recommendations to an officer having the necessary powers.

No order of dismissal shall be passed in a case which has not been conducted in person by the officer empowered to make such an award, until the accused officer has been produced before such officer, and has been given an opportunity of making a further oral statement in his defence.

Nothing in the foregoing paragraphs shall debar a Gazetted Officer of Police from making or causing to be made a preliminary investigation into the conduct of a suspected officer. Such an enquiry is not infrequently necessary to ascertain the nature and degree of misconduct which is to be formally enquired into. The suspected Police Officer may or may not be present at such preliminary enquiry, but shall not cross examine witnesses. The file of preliminary investigation, if one is held, shall form part of the formal departmental record as its prefix, and may be used for the purposes of preparing a Notice of the alleged misconduct which is required to be given to the accused Police Officer at the initial stage of a formal departmental enquiry.

Discipline must be maintained in relation to the proceedings of departmental enquiries. Refusal by an accused Police Officer to plead or answer questions, inordinate delay in producing his defence, insubordinate behaviour before the enquiring officer, and intemperate or impertinent questioning of officers who are his superiors in official status are, in addition to being against the spirit of the rules for the conduct of departmental enquiries, entirely contrary to the requirements of discipline and as such shall render the accused Police Officer liable to an enhanced punishment.

Appeals and Revisions.—The Inspector-General and the Deputy Inspector-General may call for the records of awards made by their subordinates and confirm, enhance, modify or annul the same, or make further investigation or direct it to be made before passing orders.

The Inspector-General and the Deputy Inspector-General may review their own orders within a period of one month from the date on which such orders are passed, provided that reasonable grounds

exist for such a course, which shall be reduced to writing before the case is reopened. Such *revue* orders may be passed, although no application has been submitted by the officer concerned.

If an award of dismissal is annulled, the officer annulling it shall state whether the intervening period is to be regarded as suspension followed by reinstatement or as a Leave without Pay.

In all cases in which officers propose to enhance an award, they shall, before passing final orders, give the defaulter concerned an opportunity of showing cause, either personally or in writing, why his punishment should not be enhanced.

Appeals shall lie only against orders of dismissal or reduction. No appeals shall be maintainable against orders of less severe punishments, nor against intermediary orders of suspensions, etc., passed by the Gazetted Officers of Police.

There shall be one appeal only from the original order and the order of the appellate authority shall be final.

Any officer wishing to appeal may apply to the Inspector-General for a copy of the order appealed against, or for a copy of the complete record, or any portion thereof.

Such application shall bear a court-fee stamp of the value of two annas, unless the applicant is in Jail, and shall be accompanied by a deposit of the copying fees chargeable under the scale in force in the criminal courts of the State.

A copy of such order or record shall be given with as little delay as possible and the Officer-in-charge of the office concerned shall certify to its correctness and to the date on which it was handed over to the applicant or his agent.

The appellate authority in cases of reduction and dismissal will be as shown in the following table:—

<i>Punishing authority.</i>	<i>Appellate authority.</i>
Superintendent of Police	Deputy Inspector-General.
Deputy Inspector-General	Inspector-General.
Inspector-General	Council of State.
Petition for mercy	Durbar.

Every appeal shall be in English and shall bear a court-fee stamp of eight annas. It shall set forth the grounds of appeal, and shall be accompanied by a copy of the order appealed against.

An appeal which is not filed within a month of the date of the original order, exclusive of the time spent in obtaining copies, shall be barred by limitation, except in cases of 'Desertion' which shall be governed by the rules framed under that head. The appellate authority may, however, accept an appeal filed out of time, if he deems fit to do so. In the latter case he shall record reasons for the same.

Every order passed in appeal shall contain the reasons therefor, and a copy of such order and the reasons therefor shall be given free of cost to the appellant.

An officer whose appeal has been rejected, is prohibited from applying for a fresh scrutiny of the evidence. Such officer may, however, apply to the authority next above the prescribed appellate authority, for a revision on grounds of material irregularity in the proceedings or on quoting fresh evidence, and may submit to the same authority or to the Durbar a plea for Mercy.

The revisionary authority may on reasonable grounds revise an order passed by a lower authority or may order *de novo* departmental proceedings if he finds that the case for the prosecution or defence has been adversely affected by material irregularities which exist in the case.

Principle regarding Punishments.—Discipline shall be maintained by patient and continuous instruction, combined with firm, vigorous and sustained control. The spirit of Rules in this behalf is that punishments should be so designed in nature and in extent, that the defaulter gets no more than his deserts, while the internal discipline of the force derives the benefit of accumulative effect of the punishments.

Officers having power to punish should endeavour to check neglect and misconduct in their subordinates, which appear to be merely due to ignorance or inattention and not to wilful disobedience, by clear instructions and careful explanation. They shall, as far as possible, avoid the constant infliction of minor punishments in such cases, and shall, in all cases in which they inflict punishments, pass their orders after full consideration of the facts and circumstances of the case and of the character and position of the officer punished.

The misconduct of a Police Officer must be judged in relation

to the position he was occupying at the time when such misconduct is alleged to have taken place. For purposes of punishment, therefore, an officer officiating or acting in a higher rank shall be treated as belonging to that rank. This rule shall not, however, prevent an officer from being reverted to his substantive rank on being placed under suspension.

When a warning or a minor punishment can adequately meet the requirements of a case, a major punishment should ordinarily be avoided. In any case, the first offence should be let off with only a verbal warning or a nominal minor punishment, and every possible effort should be made to correct an officer, before he is broken.

When a disciplinary offence can be adequately punished departmentally, the defaulter should not be prosecuted under Section 23 of the Jaipur Police Act (Section 29 of the Police Act), or under any other provision of Law.

For authorities empowered to inflict punishments, please refer to the "Schedule of Powers" appended at the end.

Provisos.—(1) An officer officiating in a higher rank will be entitled to exercise the powers of such higher rank.

(2) In case of Probationers and Recruits, privileges, functions and powers granted by Law and Rules to their respective ranks shall be held in abeyance till their confirmation and passing the recruits course respectively, unless specially authorised by the Inspector-General in emergency cases, in which one or more of such privileges, functions and powers which will be specified, are required to be exercised by reason of a specific duty assigned to such Probationers or Recruits during their probationary period or training, as the case may be.

(3) Suspensions may be ordered by any officer of and above the rank of Sub-Inspector, but release therefrom shall only be ordered by the officer, who is empowered to dismiss or reduce the accused Police Officer.

(4) Resignations may be accepted by the authority empowered to dismiss the officer concerned, but a discharge certificate shall not be issued by any officer of below the rank of the Deputy Inspector-General.

(5) Camel sowars, horse sowars, and cycle sowars shall be

treated as foot constables for the purposes of provisions of this chapter, but boy orderlies, *frashes*, *nais*, *dhobis*, *cooks*, *bahishtis*, *sweepers* and the menial staff of the Police Hospital shall not be governed by these Rules.

SCHEDULE OF DISCIPLINARY POWERS.

	Inspector-General.	Deputy Inspector-General.	Superintendents of Police	Circle Inspectors.	Station House Officers.
LEAVES.—					
Privilege leave ...	All Police Officers whose pay does not exceed Rs. 300/-	All Sub-Inspectors, Head Constables, and Clerks.	Up to 3 months in respect of all Head Constables and Constables working directly under them.	Nil.	Nil.
Sick or Hospital leave,	Ditto	Ditto	Ditto	Nil.	Nil.
Leave without allowances.	Ditto	All Inspectors, Sub-Inspectors, Head Constables, and Clerks.	All Inspectors, Sub-Inspectors, Head Constables, and Clerks working directly under them.	Nil.	Nil.
Casual leave ...	Ditto			Up to one week in respect of all Head Constables and Constables working directly under them.	Up to 3 days to all Constables working directly under them.
PUNISHMENTS.—					
Prosecution ...	All enrolled Police Officers and Clerks.	All Head Constables and Constables whose pay does not exceed Rs. 20/- p.m., except in escape cases.	All Constables working directly under them only in Section 23 of J. P. A. (29-P. A.) cases.	Nil.	Nil.
Dismissal ...	Ditto	All Head Constables and Constables whose pay does not exceed Rs. 20/- p.m.	All Constables working directly under them.	Nil.	Nil.
Reduction ...	Ditto	Ditto	Ditto	Nil.	Nil.
Stoppage of Promotion.	Ditto	Ditto	Ditto	Nil.	Nil.

SCHEDULE OF DISCIPLINARY POWERS.—(Continued.)

	Inspector-General.	Deputy Inspector-General.	Superintendents of Police.	Circle Inspectors.	Station House Officers.
PUNISHMENTS— (continued.)					
Forfeiture of Good Conduct Stripes	All Constables	... All Constables	Nil.	Nil.	Nil.
Black Mark	... All enrolled Police Officers	All enrolled Police Officers.	All Head Constables and Constables working directly under them.	Nil.	Nil.
Censure	... All enrolled Police Officers and Clerks.	All enrolled Police Officers	All Head Constables and Constables working directly under them	Nil.	Nil.
Fine	... Ditto	Ditto	Ditto	Nil.	Nil.
Forfeiture of Pay...	All enrolled Police Officers and Clerks for periods of absences only.	All enrolled Police Officers for periods of absences only.	All Head Constables and Constables working directly under them for periods of absences only.	Nil.	Nil.
Quarter Guard	... All Constables for a period not exceeding 15 days.	All Constables for a period not exceeding 10 days.	Nil.	Nil.	Nil.
Punishment Drill.	Ditto	Ditto	All Constables working directly under them for a period not exceeding 6 days.	All Constables working directly under them for 3 days.	Nil.
Fatigue Duty	... Ditto	Ditto	Ditto	Ditto	Nil.
Standing Guard Duty.	All Head Constables and Constables for a period not exceeding one year.	All Head Constables and Constables for a period not exceeding 6 months.	All Head Constables and Constables working directly under them for a period not exceeding 3 months.	Nil.	Nil.

APPENDIX

INDEX TO COMMONLY USED SECTIONS OF LAW. CRIMINAL PROCEDURE CODE.

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58	69	Summons how served. Signature of receipt for summons.
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60	71	Procedure when service cannot be effected as before provided.

C. P. C.—(Continued.)

J.C.P.C. I.C.P.C.

Contents.

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65	74	Proof of service in such cases, and when serving officer not present.
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70	80	Notification of substance of warrant.
71	81	Persons arrested to be brought before Court without delay.
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73	83	Warrant forwarded for execution outside jurisdiction.
74	84	Warrant directed to police officer for execution outside jurisdiction.
75	85	Procedure on arrest of person against whom warrant issued.
77	87	Proclamation for person absconding.
78	88	Attachment of property of person absconding. Inquiry into claims and objection.
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98	100	Search for persons wrongfully confined.
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106	108	Security for good behaviour from persons disseminating seditious matter.
107	109	Security for good behaviour from vagrants and suspected persons.
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144	150	Information of design to commit such offences.
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C. P. C.—(Continued.)

J.C.P.C. J.C.P.C.

Contents.

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148	151	Information in cognizable cases.
149	155	Information in non-cognizable cases. Investigation into non-cognizable cases.
150	156	Investigation into cognizable cases.
151	157	Procedure where cognizable offence suspected. Proviso as to (a) where local investigation dispensed with; (b) where police officer in charge sees no sufficient ground for investigation.
152	159	Power to hold investigation or preliminary inquiry.
153	160	Police officer's power to require attendance of witnesses.
154	161	Examination of witnesses by police.
155	162	Statements to police not to be signed, use of such statements in evidence.
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158	165	Search by police officer.
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160	167	Procedure when investigation cannot be completed in seventy-two hours.
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165	172	Diary of proceedings in investigation.
166	173	Report of police officer.
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168	175	Power to summon persons.
169	176	Inquiry by Magistrate into cause of death. Power to disinter corpses.
170	177	Ordinary place of inquiry and trial.
172	179	Accused triable in district where act is done or where consequence ensues.

C. P. C.—(Concluded.)

J.C.P.C.	I.C.P.C.	Contents.
173	180	Place of trial where act is offence by reason of relation to other offence.
174	181	Being a thug or belonging to a gang of dacoits, escape from custody, etc. Criminal misappropriation and breach of trust. Theft. Kidnapping and abduction.
175	182	Place of inquiry or trial where scene of offence is uncertain or not in one district only or where offence is continuing or consists of several acts.
176	183	Offence committed on a journey.
257	337,338	Tender of pardon to accomplice.
259	339	Commitment of person to whom pardon has been tendered.
382	496	In what cases bail to be taken.
383	497	When bail may be taken in case of non-bailable offence.
397	511	Previous conviction or acquittal how proved.
398	512	Record of evidence in absence of accused.
412	523	Procedure by police upon seizure of property taken under Section 40 J. C. P. C. or stolen.
439	550	Power of police to seize property suspected to be stolen.
440	551	Powers of superior officers of police.
452	565	Order for notifying address of previously convicted offenders and rules made under this Section.

EVIDENCE ACT.

J.E.A.	I. E. A.	Contents.	Procedure.
4	5	Evidence may be given of facts in issue and relevant facts.	
24	25	Confession to Police Officer not to be proved.	
26	27	How much of information received from accused may be proved.	
29	30	Confession of a co-accused jointly under trial.	
31	32	Statements of persons who cannot be called as witnesses.	
59	60	Oral evidence must be direct.	
60	61	Proof of contents of a document.	
61	62	Primary evidence.	
62	63	Secondary evidence.	
64	65	Cases in which secondary evidence may be given.	

PENAL CODE.

J.P.C.	I.P.C.	Contents.	Procedure.
27	34	Acts done by several persons in furtherance of common intention.	
64	76	Act of a person believing himself bound by law to do a certain thing.	
65	77	Act of a judge acting judicially.	
66	78	Act done pursuant to an order of or a judgment of Court.	
67	79	Act of a person justified, or believing himself justified by law.	
68	80	Act caused by accident.	
69	81	Act likely to cause harm done without criminal intent to prevent another harm.	
70	82	Act of a child under 7 years.	
71	83	Act of a child above 7 years and under 12 years, but of immature understanding.	
72	84	Act of a person of unsound mind.	
73	85	Act of an intoxicated person.	
75	87	Act not known to be likely to cause death or grievous hurt done by consent of the sufferer.	
76	88	Act not intended to cause death done by the consent of the sufferer.	
77	89	Act done in good faith for the benefit of a child or an insane person by or by the consent of the guardian.	
80	92	Act done in good faith for the benefit of a person without consent.	
81	93	Communication made in good faith to a person for his benefit.	
82	94	Act done under threat of instant death.	
83	95	Acts causing slight harm.	
84	96	Acts done in the exercise of the right of private defence.	

PENAL CODE.—(Continued.)

J.P.C.	I.P.C.	Contents.	Procedure.	
			Whether Cog. or not.	Whether Bailable or not.
98	109	Abetment of any offence if the act is committed in consequence.	According as the offence abetted is.	
111	120-B	Criminal conspiracy to commit certain offences.	do.	do.
117	124-A	Sedition ...	N. C.	N.B.
129	140	Wearing garb. Personating and passing as a Soldier, token used by a soldier.	Cog.	B.
132	143	Member of an unlawful assembly ...	Cog.	B.
133	144	Joining an unlawful assembly, armed with deadly weapons.	Cog.	B.
134	145	Joining an unlawful assembly, knowing that it has been commanded to disperse.	Cog.	B.
136	147	Rioting ...	Cog.	B.
137	148	Rioting armed with a deadly weapon ...	Cog.	B.
138	149	Liabilities of Members of unlawful assembly for acts committed by one of them.	According as the offence.	
139	150	Hiring persons to join an unlawful assembly ...	Cog.	do
140	151	Knowingly joining any assembly of five or more persons after it has been commanded to disperse.	Cog.	B.
143	153-A	Promoting enmity between classes ...	N.C.	N.B.
150	160	Affray ...	N.C.	B.
151	161	Public servant taking gratification other than legal remuneration in respect of an official act.	N.C.	B.
152	162	Taking gratification in order by corrupt or illegal means to influence a public servant.	N.C.	B.
154	164	Abetment by public servant of the offences defined in sections 152 and 153 J.P.C.	N.C.	B.
155	165	Public servant obtaining valuable thing without consideration from a person concerned in any proceedings, etc.	N. C.	B.
159	170	Personating a public servant ...	Cog.	B.
160	171	Wearing garb or carrying token used by public servant with fraudulent intent.	Cog.	B.

PENAL CODE.—(Continued.)

J.P.C.	I. P. C.	Contents	Procedure.	
			Whether Cog. or not.	Whether Bailable or not.
163	174	Non-attendance in obedience to an order from Public servant.	N.C.	B.
164	175	Omission to produce a document to a public servant by a person legally bound to produce it	N.C.	B.
165	176	Omission to give notice or information to a public servant.	N.C.	B.
166	177	Furnishing false information	N.C.	B.
171	182	False information to cause a public servant to use his lawful power to the injury of any person.	N.C.	B.
172	183	Resistance to taking of property by the lawful authority of a public servant.	N.C.	B.
175	186	Obstructing public servant in discharge of his public functions.	N.C.	B.
177	188	Disobedience to an order lawfully promulgated by a public servant.	N.C.	B.
182	193	Giving or fabricating false evidence ...	N.C.	B.
190	201	Causing disappearance of evidence of an offence.	N.C.	B.
191	202	Intentional omission to give information of offence by a person bound to inform.	N.C.	B.
192	203	Giving false information respecting an offence.	N.C.	B.
193	204	Secreting or destroying any document ...	N.C.	B.
200	211	False charge of an offence ...	N.C.	B.
201	212	Harbouring offenders ...	Cog.	B.
204	215	Taking gift to help to recover stolen property.	Cog.	B.
205	216	Harbouring an escaped offender ...	Cog.	B.
206	216-A	Harbouring robbers or Dacoits ...	Cog.	B.
212	221	Omission to apprehend by a public servant ...	N.C.	B.
213	222	Omission by public servant to apprehend a person under sentence or lawfully committed.	N.C.	N.B.
214	223	Escape from confinement negligently suffered by a public servant.	N.C.	B.
215	224	Resistance to one's lawful apprehension ...	Cog.	B.
216	225	Resistance to the lawful apprehension of another or rescuing him.	Cog.	N.B.

PENAL CODE--(Continued.)

				Procedure.	
				Whether Cog. or not.	Whether Bailable or not.
				N.C.	B.
				Cog.	B.
				Cog.	N.B.
				Cog.	N.B.
				Cog.	N.B.
				Cog.	N.B.
				Cog.	B.
				Cog.	B.
				Cog.	B.
				Cog.	B.
				N.C.	B.
				N.C.	B.
				Cog.	B.
				Cog.	B.
				N.C.	B.
				Cog.	B.
				Cog.	B.
274	294	Obscene songs		Cog.	B.
275	294-A	Keeping a lottery office		N.C.	B.
278	295	Injuring a place of worship to insult the religion of any class of persons.		Cog.	B.
279	296	Causing a disturbance to an assembly engaged in religious worship.		Cog.	B.
290	302	Murder		Cog.	N.B.
292	304	Culpable homicide		Cog.	N.B.

PENAL CODE.—(Continued.)

J.P.C.	I.P.C.	Contents.	Procedure.	
			Whether Cog. or not.	Whether Bailable or not.
368	379	Theft	Cog.	N.B.
369	380	Theft in a building, tent, or vessel ...	Cog.	N.B.
370	381	Theft by clerk or servant of property in possession of master.	Cog.	N.B.
371	382	Theft preparation having been made for causing death or hurt, etc.	Cog.	N.B.
373	384	Extortion	N.C.	B.
374	385	Putting or attempting to put in fear of injury in order to commit extortion,	N.C.	B.
375	386	Extortion by putting a person in fear of death or grievous hurt.	N.C.	N.B.
377	388	Extortion by accusation of an offence punishable with death or imprisonment for 14 years.	N.C.	B.
381	392	Robbery	Cog.	N.B.
382	393	Attempt to commit robbery	Cog.	N.B.
383	394	Voluntarily causing hurt in committing or attempting to commit robbery.	Cog.	N.B.
384	395	Dacoity	Cog.	N.B.
385	396	Murder in dacoity	Cog.	N.B.
386	397	Robbery or dacoity with attempt to cause death or grievous hurt.	Cog.	N.B.
387	398	Attempt to commit robbery or dacoity when armed with deadly weapons.	Cog.	N.B.
388	399	Making preparation to commit dacoity ...	Cog.	N.B.
389	400	Belonging to a gang of persons associated to commit dacoity.	Cog.	N.B.
390	401	Belonging to a wandering gang of persons associated for habitually committing thefts.	Cog.	N.B.
391	402	Five or more persons assembled to commit dacoity.	Cog.	N.B.
392	403	Dishonest misappropriation of property ...	N.C.	B.
395	406	Criminal breach of trust ...	Cog.	N.B.
397	408	Criminal breach of trust by a clerk or servant ...	Cog.	N.B.

PENAL CODE.—(Continued.)

J.P.C.	I. P. C.	Contents.	Procedure.	
			Whether Cog. or not.	Whether bailable or not.
437	452	House trespass having made preparation for causing hurt, assault, etc.	Cog.	N.B.
438	453	Lurking house trespass or housebreaking ...	Cog.	N.B.
439	454	Lurking house trespass or housebreaking in order to the commission of an offence punishable with imprisonment not exceeding 14 years.	Cog.	N.B.
440	455	Lurking house trespass or housebreaking after preparation made for causing hurt, assault, etc.	Cog.	N.B.
441	456	Lurking house trespass or housebreaking by night.	Cog.	N.B.
442	457	Lurking house trespass or housebreaking by night in order to the commission of an offence punishable with imprisonment.	Cog.	N.B.
		If the offence be theft ...	Cog.	N.B.
443	458	Lurking house trespass or house breaking by night after preparation made for causing hurt, etc.	Cog.	N.B.
444	459	Grievous hurt caused while committing, house trespass or house breaking.	Cog.	N.B.
445	460	Death or grievous hurt caused by one of several persons jointly concerned in housebreaking by night.	Cog.	N.B.
450	465	Forgery ...	N.C.	B.
453	468	Forgery for the purpose of cheating ...	N.C.	N.B.
456	471	Using as genuine a forged document, which is known to be forged.	N.C.	N.B.
463	477-A	Falsification of accounts ...	N.C.	B.
476	489-A	Counterfeiting currency or bank notes ...	Cog.	N.B.
477	489-B	Using as genuine forged or counterfeit currency notes or bank-notes.	Cog.	N.B.
478	489-C	Possession of forged or counterfeit currency notes or bank-notes.	Cog.	B
487	497	Adultery ...	N.C.	B
488	498	Enticing or taking away or detaining with a criminal intent a married woman.	N.C.	B.
490	500	Defamation ...	N.C.	B.

PENAL CODE.—(*Continued.*)

J.P.C.	I. P. C.	Contents.	Procedure.	
			Whether Cog. or not.	Whether Bailable or not.
491	501	Printing or engraving matter knowing it to be defamatory.	N.C.	B.
492	502	Sale of printed or engraved substance containing defamatory matter.	N.C.	B.
496	506	Criminal intimidation	N.C.	B.
500	511	Attempting to commit offence punishable with imprisonment and in such attempt doing any act towards the commission of the offence.	According as the offence attempted is.	

LOCAL SPECIAL LAWS.

Acts.	Sections	Contents.	Procedure.
Criminal Tribes Act.	20	Breach of rules framed under section 18...	Bailable ; Cognizable.
Excise Act ...	21	Contravention of Excise Law and Rules...	Ditto
Gambling Act ...	3	Keeping a common gaming-house ...	Bailable ; Non-cognizable.
Gambling Act ...	4	Being found in a gaming-house ...	Ditto
Gambling Act ...	13	Gaming in public places ...	Bailable ; Cognizable.
Motor Act ...	30	Rash Driving ...	Bailable ; Non-cognizable.
Motor Act ...	31	Breach of Rules ...	Ditto
Municipal Bye-laws.	8	Driving without light ...	Ditto
Municipal Bye-laws.	9	Disobeying directions of Police officer regulating Traffic.	Ditto
Opium Act ...	7	Contravention of the Act and Rules ...	Bailable ; Cognizable.
Police Act ...	23	Penalties for neglect of duty ...	Bailable ; Non-cognizable.
Police Act ...	24	Regulation of public assemblies and pro- cessions, and licensing.	Ditto
Police Act ...	29	Penalty for certain offences on road, etc.	Bailable ; Cognizable.
Prevention of Cruelty to Animals Act.	3	Cruelly beating or over-loading animals on public streets.	Ditto
Ditto	7	Leaving old and diseased animals to die in streets.	Bailable ; Non-Cognizable.
Railway Act ...	37	Travelling without proper pass or ticket (Section 113).	Ditto
Railway Act ...	45	Obstructing railway servant (Section 121).	Bailable ; Cognizable.

FIRST INFORMATION REPORT.

Police Station

District

No.

Date and hour of occurrence

1	Date and hour when reported.	
2	Name and residence of informant and complainant.	
3	Brief description of offence (with section) and of property carried off, if any.	
4	Place of occurrence and distance and direction from Police Station.	
5	Name and residence of the accused.	
6	Steps taken regarding investigation; explanation of delay in starting investigation.	
7	Date and hour of despatch from Police Station.	

INDEX OF CASE DIARIES.

Serial No.	Date of Case Diary.	Name of investigating officer.	Serial No.	Date of Case Diary.	Name of investigating officer.	Serial No.	Date of Case Diary.	Name of investigating officer.

FINAL ACTION.

Date and hour of submission of Charge Sheet or Final Report and Section under which accused are sent for trial.	Names of witnesses.	Name and residence of accused.— A. sent in custody B. on bail or recognizance C. not sent for trial.	Property (including weapons) found.

RESULT OF THE CASE.

Date of receipt of challan in Court.	Offence according to which convicted or acquitted.	Result of the Case. (In case of conviction or acquittal, the name of Court, date and detail of the order.)

REGISTER OF PETTY OFFENCES.

1	2	3	4	5	6	7	8
Offence Section and law offended against.	Substance of information, date when and place where offence was committed.	Complainant.	Accused.	Date and time at which information reached Police Office.	Name of the persons who appear to be acquainted with the circumstances of the case and detail of any property sent in the case.	Accused how forwarded	Finding and sentence.

SPECIAL REPORT.

No. of 193 . Dated 193 .

1	2	3	4	5	6
No. of F. I. R. Description of offence and section of law offended against; also distance and direction of place from Police Station and name of Sub-Inspector.	Number of persons		Value of property.		Statement of the case, conduct of the Police. Steps taken by them giving date of occurrence and of report to the Police.
	Supposed to have been concerned.	Arrested	Taken.	Recovered.	

CASE DIARY.

First Information Report No. of 193 . Case Diary No.

Date and Place of occurrence Time and date of receipt in Police Station.

Time and date of despatch from Police Station.

Offence:—

Date (with hour) on which action was taken.	Serial No. of Report.	Record of investigation.

ORDER FOR APPEARANCE.

Order for appearance under Sections 153 and 168 J. C. P. C.

Whereas it is desired in the interest of investigation of Case
F.I.R. U/s P.S. you shall
come and make your statement before me on

Dated this day of 19 ..

(SEAL).

Signature.

ORDER FOR ARREST.

Order of Arrest under Section 45 of the J. C. P. C.

Whereas son of
resident of stands charged with the offence
..... you are hereby directed to arrest
the said person and to produce him before me. Herein fail not.

Dated this day of 19 ..

(SEAL).

Signature.

ORDER FOR SEARCH.

U/s 158 of the J. C. P. C.

21211

Whereas it is expedient in the interest of investigation of Case

F.I.R..... U/s

P S., you shall go and search the house of
..... under Section 159 J. C. P. C.

Dated this day of 193 .

(SEAL).

Signature.

REPORT OF ARREST.

(Under Section 51, Criminal Procedure Code.)

Has the honour to report that son
 of caste resident of
 has been apprehended (or detained as the
 case may be) this day at o'clock as he is accused
 of

Dated

The

(SEAL).

Sub-Inspector.

To be lithographed on a post-card.

DESCRIPTIVE ROLLS OF UNIDENTIFIED PERSONS FOUND DEAD.

1	2	3	4	5		6		7	8	9
Annual Serial No.	District.	Name, parentage and residence of informant.	Date on which found.	PLACE WHERE FOUND.		DESCRIPTION.		Detail of property found.	Circumstances under which found and particulars likely to afford a clue to the identity of the deceased.	Remarks.
				Village.	Police Station.	Sex.	Apparent age. Height. Complexion. Particular marks.			

LIST OF UNCLAIMED PROPERTY OR CATTLE.

1	2	3	4		5	6	7	8
Annual Serial Number.	District.	Name, parentage, and residence of person from whom recovered or by whom deposited.	PLACE OF RECOVERY.		Date of recovery.	Circumstances under which recovered and particulars likely to afford clue to the owner.	List of article/cattle with full description and value.	REMARKS.
			Village.	Police Station.				

[illegible]

LIST OF PERSONS LOST OR MISSING.				
1	2	3	4	5
8	9	10	11	

[illegible]

HUE AND CRY NOTICE.

1	2	3	4	5	6	7	8	9	10	11
Serial No.	Name of district mounting police.	Name of absconder with address, parentage, caste, and village.	Police Station.	District.	F. I. R. No. Name of Police Station where offence was committed with date of absconding.	Description Roll of absconder.	Stolen property (only such articles may be mentioned which can be easily identified.)	Reward recommended.	Names of near relations and probable whereabouts of the absconder.	REMARKS.

INJURY STATEMENT.

Date and hour of despatch.

1 Name of injured deceased person, parentage, caste residence and condition in life.	2 Sex and supposed age.	3	4	5	6	7
		REPORT OF THE POLICE OFFICER.		BRIEF REPORT AND OPINION IN SIMPLE LANGUAGE DICTATED BY THE MEDICAL OFFICER AND FOLLOWED BY HIS INITIALS.		
		Description of any injuries or marks of violence, re- ceived wounds and bruises, position, length and breadth.	Brief report by the despatching Police Officer stating the manner in which the injuries or death are caused. If by poison, the poison suspected to have been used, the date and hour it was administered, the date and hour of commencement of symptoms, the date and hour of death and the nature and duration of treatment adopted by the Police or friends of the deceased.	As to the means by which the injuries were caused.	In the case of injuries, poisoning not causing death the extent of the injuries or sickness and in the latter case the nature of the poison ascertained or suspected.	In cases of death— (a) Whether death by violence is ascertained and cause of death and (b) where death is suspected from poisoning the poison ascertained or suspected.

DEATH STATEMENT A.

Death report Sudden death from natural causes.

Death report No. Dated Police Station.

1. Name of place where death occurred.
2. Distance and direction from the Police Station in whose jurisdiction it is.
3. Date and hour of discovery of the death.
4. Name, parentage of two or more persons who identify the body as that of the deceased person named in this report.
5. Name of deceased.
 Parentage.
 Caste.
 Residence.
 Condition in life.
6. Age and sex.
7. Condition of clothes, ornaments, etc., as not indicating an unnatural death.
8. Position of limbs, eyes and mouth.
9. Expression of the countenance.
10. Injuries or marks of violence the body may have received.
11. Blood, liquid or clotted, where oozed from and to what amount.
12. In what manner or by what weapon or instrument such marks of injuries or of violence appeared to have been inflicted.
13. Is the body well nourished and vigorous or emaciated and weak?
14. Apparent cause of death.
15. Any signs of death having been caused by violence or poison, or any rumours of such being the case.

(ENTRIES TO BE MADE ON REVERSE OF FORM 1.)

(Second Page.)

1. Description of each article of clothing, ornaments, covering, weapon, etc., found on or near the body.
 2. Sketch-plan of the scene of death.
-

(Third Page.)

3. Brief history of the case.

Dated

Signature of two or more respectable
inhabitants of the neighbourhood
present at the investigation.

(Signature of officer
conducting the in-
vestigation).

Name

DEATH STATEMENT B.

Death Report unnatural death by violence.

Death Report No. Dated Police Station

1. Name of place where the death occurred or where body was found (state which).
2. Distance and direction from Police Station in whose jurisdiction it is.
3. Date and hour of discovery of death.
4. Names parentage and residence of two or more persons who identify the body as that of the deceased person named in the report.

(NOTE.—Relations of the deceased or two respectable witnesses to identification should be obtained if possible).

5. Name parentage, caste, residence and condition in life of the deceased.
6. Age and Sex.
7. Condition of the clothes, ornaments, etc., and marks of either having been forcibly removed or of being stained of blood or other matter.

(NOTE.—If the Civil Surgeon or other Medical Officer is expected to attend to examine the body, this information should be filled in, so far as can be seen and without touching or removing any clothes; and in such case it should be completed after he has finished his examination of the body.)

8. Position of the limbs, eyes and mouth.
9. Expression of the countenance.
10. Injuries or marks of violence the body may have received.
Wounds and bruises, show position, length and breadth.

13. Was there any rope or other article round the neck or any mark of ligature on the neck?
14. Had such rope or article apparently been used to produce strangulation and if the body had been suspended by it, could it probably have supported the body?
In what mode was the other end of the rope attached to the support?
15. Were there any foreign matters, such as weeds, straw, etc., in the hair or clenched in the hands of the deceased or attached to any part of the body?
16. Is the body well-nourished and vigorous or emaciated and feeble?
17. Is it stout, thin or decomposed?
18. Height by measuring head to foot.
19. Distinguishing marks, position and appearance of moles, scar, etc.
20. Apparent cause of death.
21. Are there any circumstances or rumours tending to show that deceased killed himself?

(Second Page).

(Entries to be made on Reverse of Form No. II).

1. Description of each article found on or near body.

Found actually on the body. Each article labelled, numbered and sealed. Sent in attached to body.	Sent in separate packet.	Found near the body. Each article labelled, numbered and sealed.
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Death Report Unnatural Death by Poisoning.

DEATH STATEMENT C.

Particulars relating to the case in addition to those given in Form No. II.

1. Was deceased in good health previous to the attack?
2. If not in good health what was he suffering from?
3. What medicine was he taking?
4. What did the last meal consist of?
5. What was the interval between the last meal and the commencement of the symptoms?
6. What did the deceased last eat or drink before the commencement of the symptoms?
7. What was the interval between the very last time he ate or drank and the commencement of the symptoms?
8. What were the first symptoms?
9. Was he thirsty?
10. Did he become faint?
11. Did he complain of headache or giddiness?
12. Did he appear to have lost the use of his limbs?
13. Did he sleep heavily?
14. Was he, at any time, insensible?
15. Did convulsions occur?
16. Did he complain of any peculiar taste in his mouth?
17. Did he notice any peculiar taste in his food or drink?
18. Was he sensible in the intervals between the convulsions?
19. Did he complain of burning or tingling in the mouth and throat or of numbness and tingling in the limbs?
20. Was there vomiting?
21. Was there purging?
22. Was there pain in the stomach?

INQUEST REPORT.

Name of Police Station District.....

Nature of death Date of Despatch

REPORT.

 BAIL BOND.

Under Section 52 of the J. C. P. C.

I hereby declare myself (or we jointly and severally declare ourselves and each of us) surety (or sureties) for that he shall attend at in the Court of on the day of next (or on such day as he may hereafter be required to attend), further to answer to the charge pending against him, and, in case of his making default therein, I hereby bind myself (or we hereby bind ourselves) to forfeit to the Ruler of the State, the sum of rupees

Dated this day of 193 .

*Witness**Signature**Witness.*

PERSONAL BOND AND BAIL BOND,
UNDER SECTION 162 J. C. P. C.

I (name) of being charged with the offence of and after inquiry required to appear before the Magistrate of or and after inquiry called upon to enter into my own recognizance to appear when required, do hereby bind myself to appear at in the Court of on the day of ... next (or on such day as I may hereafter be required to attend) to answer further to the said charge, and, in case of my making default herein, I bind myself to forfeit to the Ruler of the State, the sum of rupees

Dated this day of 193 ..

(Signature.)

I hereby declare myself (or we jointly and severally declare ourselves and each of us) surety (or sureties) for the abovesaid that he shall attend at in the Court of on the day of next (or on such day as he may hereafter be required to attend), further to answer to the charge pending against him, and, in case of his making default therein, I hereby bind myself (or we, hereby bind ourselves) to forfeit to the Ruler of the State, the sum of rupees

Dated this day of 193 ..

(Signature.)

SUPARDGI NAMA.

I son of caste residence do hereby promise to produce on demand connected with case F.I.R. No. u/s Police Station entrusted to my charge this day.

Dated,

(Signature.)

Witness

Witness.

CERTIFICATE REGARDING IDENTITY OF AN ACCUSED.

From Police Station District
 To Sub-Inspector of Police Station
 District Accused son of
 Caste Age
 description resident or mohalla
 village or city Police Station
 District has to-day
 been arrested in connection with F.I.R. No. U/s
 He gives his name and residence as noted above
 and states that he is known to and
 *Patels* and respectable men of the village.
 Kindly answer the question written on reverse of this certificate.

Dated

Signature of S. H. O.

(Reverse).

Question.	No.	Answer.
1. Are his name, address and residence as given by him correct?		
2. Can the <i>Patels</i> and respectable men identify the name of the man, address and residence and do they give the same description as given by me on reverse?		
3. If already classed P. R. convict, the district serial No. of P. R. slip should be noted.		
4. If he is not P. R. convict, should he be recommended to be declared a P. R. or "P. R. T." convict now?		
5. Give his previous convictions in detail, if any.		
6. It should be noted if his name is entered in Register No. 10 or if his History Sheet is maintained or if he associates with bad characters or if he is himself a bad character together with any other particulars known to you.		

(Reply).

From Police Station District
 To Sub-Inspector of Police Station
 District The History Sheet of this man
 has been ascertained through of
 and your question has been answered.

Dated Signature of S. H. O.

PARCILA SLIP SAZA.

Police Station District

Serial No. of Charge Sheet Slip despatch register

Charge Sheet Slip to accompany Charge Sheet No.

(1) No. of F.I.R. (1) Date of sending up for trial.

(2) Date of report. (2) Date of arrival in Court.

(3) Value of property (Stolen, Recovered).

1	2	3	4	5	6	7
Name of accused arrested, parentage, caste, residence, occupation, description and special marks of identification.	Offence under which charged by the Police and place of occurrence.	Date of arrest.	Date of transfer or escape.	Offence which has been proved against the accused or in which he has been acquitted.	Sentence, date of sentence, name of court and presiding officer with his powers, the district in which the trial was held and whether the case was tried summarily or otherwise.	District serial No. of P. R. Slip, if any, as entered in P. R. Register.

Signature of the Magistrate.

REMAND SHEET.

No. Police Station District

Date of application.	Name of complainant, parentage, caste and residence.	Name of accused with parentage, caste and residence.	Section.	Date of arrest.	Date up to which remand is required.	Brief account of the case and reasons of remand.	Order of the Nazim.

Despatched at $\frac{\text{A.M.}}{\text{P.M.}}$ On 193 .

Signature of Investigating Officer.

CHARGE SHEET.

1	2	3	4	5	6
Name, address and occupation of complainant or informant.	Names and addresses of accused persons not sent up for trial, whether arrested or not arrested, including absconders (showing absconders in red ink).	<p>NAMES AND ADDRESSES OF ACCUSED PERSONS SENT UP FOR TRIAL.</p> <p>In custody.</p> <p>On bail or recognizance.</p>	Property (including weapons) found with particulars of where, when and by whom found and whether forwarded to Magistrate.	Names and addresses of witnesses and what point each is called to prove.	Charge or information :— Name of offence and circumstances connected with it in concise detail and under what section of the Penal Code charged.

POLICE BRIEF.

S. No.	Name of witness, parentage, caste and residence.	Abstract of evidence.	Reference to page of case diary.

DAILY DIARY.

Commencing at o'clock on the
and ending o'clock on the

1	2	3	4
S. No.	Name of reporter.	Summary of the report.	Substance of the report.

INDEX TO STANDING ORDERS.

1	2	3	4	
Serial No. of the year.	Subject.	Date.	Order.	REMARKS.

REGISTER OF ABSCONDERS.

1	2	3	4	5	6	7	8	9	10	11	12	13
Serial No.	Police Station or District submitting notice.	Name of Absconder.	Parentage, caste and descriptive roll.	Residence, i.e., Village, Police Station and district.	Offence.	F. I. Report No. and date, place and date of offence.	Reward offered.	Clues to probable whereabouts.	Action taken to procure arrest, details to be given as to— (a) Police Station of the home district to which notices are sent. (b) Ditto of other Districts. (c) Notices sent to Police Gazette on— (d) If a P. R. Convict date of intimation to F.P. Bureau (e) Action taken under Section 398-77-78 J.C.P.C. (f) Details of any other action taken with dates and name of Court.	Date of publishing as proclaimed offender in Police Gazette.	Signature of Gazetted officer.	Date of arrest, death or cancellation.

DESCRIPTIVE ROLL OF ABSCONDERS.

Descriptive Roll of an Absconder or Proclaimed Offender of ..

..... Police Station District.

1. Name, aliases, parentage, caste, residence and occupation.
2. Offence, name of village and Police Station where committed with number and date of F.I.R. and date of absconding. Warrant issued?
3. Amount of property stolen and description of articles easily identifiable, if lengthy, write on separate sheet.
4. Amount of reward offered.
5. Possible whereabouts, names of relations and others, and places he is likely to visit.
6. Any other useful information likely to help in tracing the individual, including details regarding person found dead or missing.
7. Description: How and from whom obtained.
8. Photo: Any record of
9. Finger prints: Any record of
10. Height: Tall, medium or short.
11. Age: If looks it, or older or younger.
12. Build: Stout, thin, erect or stooping.
13. Head: Large or small. Any peculiarity. Usually wears pagri or cap.

DESCRIPTIVE ROLL.—(*Continued.*)

14. Face: Long, round, peck-pitted, smiling, scowling, wrinkled, any peculiarity.	
15. Complexion: Fair, dark or sallow.	
16. Beard or Moustache: Colour of, dyed, shape and size.	
17. Hair: Colour and quantity, curly or any peculiarity.	
18. Eyes: Blue, grey or dark brown, large or small, squint or cross-eyed; other peculiarities.	
19. Eyebrows: Colour, thick or thin, shape.	
20. Sight: Good or bad, wearing glasses or spectacles.	
21. Nose: Large or small or turned up. Bridge, straight or curved, nostrils bored.	
22. Mouth and Lips: Mouth usually closed or open, shows teeth, lips thick, thin, protruding; any other peculiarity.	
23. Teeth: Clean, discoloured; if any false or missing in front.	
24. Fingers: Long or short. Any peculiarity about nails. Wears rings; any deformity.	
25. Chin: Round, pointed, turned up or dimpled.	
26. Ears: Large, or small, close to head or protruding, long or short lobes. Pierced, wears ear-rings.	
27. Feet: Size, shape, peculiarities.	

DESCRIPTIVE ROLL.—(*Concluded.*)

28. Peculiarities of manner, habit: (smoking, eating, drinking, gait, speech, voice), Mental or Physical defect.

29. Visible marks : Warts, pimples, birth-marks, freckles, tatoo marks, scars on head, face, arms, hands or legs.

30. Dress : Peculiarities of.—

31. Remarks.

Signature of officer preparing the roll with date and place and stamp of Police Station.

REGISTER OF PROCLAIMED OFFENDERS UNDER SECTION 77 J. C. P. C.

236

1	Annual Serial Number.																	
2	Name of proclaimed offender and his known alias.																	
3	Parentage.																	
4	Caste.																	
5	Description.																	
6	RESIDENCE.																	
7	Village.																	
8	Police Station.																	
9	District.																	
10	Amount and description of property stolen.																	
11	In the case of a conditionally released prisoner who has been proclaimed give—																	
12	1. Offence in which conditionally released. 2. Name and district in which convicted. 3. Jail from which conditionally released. 4. Date of release.																	
13	Probable whereabouts of the offender and name of places he is likely to visit.																	
14	NAMES OF NEAR RELATIVES FRIENDS AND ASSOCIATES WHO ARE LIKELY TO BE VISITED OR COMMUNICATED WITH BY THE PROCLAIMED OFFENDER.																	
15	<table border="1"> <tr> <th>In his own district.</th> <th>In other districts.</th> </tr> <tr> <td> <table border="1"> <tr> <td>Name.</td> <td>Relationship.</td> <td>Residence (give name of village or town and street and Police Station)</td> </tr> <tr> <td></td> <td></td> <td></td> </tr> </table> </td> <td> <table border="1"> <tr> <td>Name.</td> <td>Relationship.</td> <td>Residence (give name of village or town and street, Police Station and district.)</td> </tr> <tr> <td></td> <td></td> <td></td> </tr> </table> </td> </tr> </table>		In his own district.	In other districts.	<table border="1"> <tr> <td>Name.</td> <td>Relationship.</td> <td>Residence (give name of village or town and street and Police Station)</td> </tr> <tr> <td></td> <td></td> <td></td> </tr> </table>	Name.	Relationship.	Residence (give name of village or town and street and Police Station)				<table border="1"> <tr> <td>Name.</td> <td>Relationship.</td> <td>Residence (give name of village or town and street, Police Station and district.)</td> </tr> <tr> <td></td> <td></td> <td></td> </tr> </table>	Name.	Relationship.	Residence (give name of village or town and street, Police Station and district.)			
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Name.	Relationship.	Residence (give name of village or town and street and Police Station)																
Name.	Relationship.	Residence (give name of village or town and street, Police Station and district.)																
16	Amount of reward for arrest, if any.																	
17	District serial No. of the P.R. Slip if any																	

REGISTER OF CORRESPONDENCE.

1	2	3	4	5	6
No.	Date of order, etc.	By whom issued.	Substance of order of letter received.	Date of report.	Substance of report of letter despatched.

CHARACTER VERIFICATION REGISTER.

Character Rolls of State Servants or applicants for State employ verified by the Police—

1	2	3	4	5	6	7	8	9
Annual Serial No.	Date of receipt of roll.	For whom received.	Where employed or service for which applying, i.e., Railway Police, Military, etc.	Name and parentage of applicant.	Village of which resident.	How, when and by whom character tested and result of enquiries.	Date of return of roll.	REMARKS.

REGISTER OF PERSONS UNDER SECURITY FOR GOOD BEHAVIOUR.

1	Serial Number.	2	Name, father's name and caste of persons required to find security.	3	Residence.	4	Amount of security and personal recognition.	5	Name, father's name and caste of sureties.	6	Residence of sureties.	7	Name of Court which passed the order to find security, name of presiding officer, powers of the court, district in which order was passed and date of order.	8		9		10	11
														(a) Date of going to prison.	(b) Date of release.	Date and month of.	DATE OF EXPIRY OF PERIOD OF SECURITY.	Reference to First Information Report or papers, in any case in which a person on security was convicted and bond became liable to forfeiture.	Reference to papers pertaining to proceedings taken to obtain forfeiture of security and result of such proceedings.
																		</	

LIST OF VILLAGE WATCHMEN.

1	2	3	4	5	6	7	8	9	10	11	12	13
Serial No. of village according to the index to Register No. IX.	Name of village.	Distance and direction from Police Station.	No. of watchmen sanctioned.	Name, parentage and caste of watchmen.	Residence.	Date of appointment.	Age when appointed.	Rate of pay.	Population of village.	Number of houses.	Day of week fixed for attendance at Police Station.	REMARKS.

LIST OF POLICE OFFICERS ATTACHED TO POLICE STATION.

1	2	3	4	5	6	7	8	9	10	11	12
Serial No.	Constabulary No.	Name.	RESIDENCE		Date of enlistment.	Date of posting to the Police Station.	Literate or illiterate.	DATE OF BEING SENT TO HEAD-QUARTERS FOR TRAINING.			REMARKS.
			Village.	Police Station.				For the 1st time.	For the 2nd time.	For the 3rd time.	
								Date of transfer	Where transferred to	Reason of transfer.	

LIST OF STATE PROPERTY.

1	2	3	4	5	6	7
Serial No.	Name of article.	Number.	Date of receipt.	Date of removal from Register.	Cause of removal from Register.	REMARKS. Showing how the property has been disposed of.

REGISTER OF MEMBERS OF CRIMINAL TRIBES.

1	2	3	4		5	6			7	8	9	10	11			12	REMARKS.
Serial Number.	Name, alias and parentage, of registered person.	Name of tribe, gang or clan.	Village.	Police Station.	Age on the date of registration.	Feet.	Inches.	Particular marks and peculiarities of feature, etc.	Ground on which registered person's name was recorded.	Date of registration.	Orders passed by the Magistrate of the district.	Orders passed by the Durbar.	Offences.	Places and dates	Sentence.	Place to which transferred and date.	
			PLACE AT WHICH REGISTERED PERSON IS TO RESIDE.			DESCRIPTIVE ROLL OF REGISTERED PERSON.								CONVICTION OF REGISTERED PERSON OF NON-BAILABLE OFFENCES (BEFORE AND AFTER REGISTRATION).			

REGISTER OF MALE CHILDREN OF MEMBERS
OF CRIMINAL TRIBES.

1	2	3	4	5	6		7
Serial No.	Name.	Father's name.	Tribe.	Date of birth.	AREA TO WHICH THE GANG OR TRIBE IS RESTRICTED.		REMARKS.
					Village.	Police Station.	

PARTICULARS OF VILLAGE.

Population by census of 193 .

Number of houses

Names of out-lying hamlets with No. of houses in each

Revenue

Market-days, fairs and festivals

Principal castes and tribes

NAMES OF HEADMEN AND OTHER LEADERS AND WATCHMEN.

Headmen	Other leading men.	Watchmen.

VILLAGE CRIME NOTE-BOOK.

1	2	3	4	5	6	7
Serial No. as in First Information Report.	Date of occurrence.	Offence.	VALUE OF PROPERTY.		Name of person accused or suspected with parentage, caste and residence.	Name of complainant and result of case.
			Stolen.	Recovered		

CASES TRACED TO THE VILLAGE.

Serial No.	No. of First Information.	Police Station and District.	Section.	Accused.	Result of investigation.	REMARKS.

CONVICTION REGISTER.

	I	II
Serial No.	Name of convicted person and age on date stated in column 6.	
	Parentage and caste, with descrip- tion and particular marks and P. R. No., if any.	
	Occupation.	
	Section and Act under which con- victed.	
	Name of court convicting, with name of the presiding officer of such Court, District in which the trial was held, the power exercis- ed by the Court and whether the case was tried summarily or otherwise; sentence and date of conviction.	
	Date of release.	
	Whether entered in Book X, the Surveillance register with num- ber of History Sheet, if any.	
	Signature of Police Officer making the entry and date of making it.	
	Place of crime, if committed out- side the village.	
	REMARKS.	

SURVEILLANCE REGISTER.

[illegible]

CHANGE OF RESIDENCE.

Report of change of residence of convict subject to Surveillance under Section 452, J. C. P. C. (565 C. P. C.).

Name and father's name.	Caste.	RESIDENCE.	CHANGE OR TEMPORARY CHANGE OF RESIDENCE.	Date of departure.	TO BE ENTERED BY OFFICER-IN-CHARGE OF POLICE STATION.		REMARKS
		Village, Zail, Thana, Tahsil, District, or Town, Street, Mohalla, Thana District.	Village, Zail, Thana, Tahsil, District, or Town, Street, Mohalla, Thana District.		Date of arrival.	Date of departure.	

ROLL OF ABSENT BAD CHARACTERS.

Report of absence or departure of a bad character under surveillance.

S.No.	Points to be reported on.	S.No.	Points reported on.
1.	Name, parentage, caste and descriptive marks of bad character.		
2.	Number in surveillance Register and number and description of previous convictions.		
3.	Class of offences he commits.		
4.	Place to which alleged to have gone, and for what purpose, with information as to his relations and associates in such places.		
5.	Date and hour at which he left his village and source of information, i.e., whether the absence was reported by a <i>Patel</i> , etc., ascertained by a Police Officer.		
6.	Date and hour of despatch of this report and whether sent by post or by person.		

Signature.

Designation.

Date.

HISTORY SHEET.

Village

Police Station

Serial No. in Index register.	Name.	Parentage and caste.	Age and date of entry.	Description.	No. of finger-print slip, if taken.

Relations and Connections.

Property and mode of earning livelihood.

CONVICTIONS.

Description of crime to which believed to be addicted.

Signature of officer preparing History Sheet with date.

History and movement, etc., etc.

(NOTE.—Each entry to be signed and dated by the officer making it. When filled blank pages to be attached and to be paged at the time of attaching.)

Serial No. of entry.	Information regarding history and movements, etc., recorded by officer-in-charge of Police Station.	Remarks or orders by Gazetted Officers and Inspectors.

FORM OF MONTHLY INDEX.

Reference to Daily Diary.	Name of Inspecting Officer.	Present or Absent.

INDEX TO HISTORY SHEETS AND PERSONAL FILE

PART I.

1	2	3	4	5	6	7
Serial No. of History Sheet and Personal File.	Name and Father's Name.	Village.	Date on which History sheet was opened.	Whether History Sheet is in A or B bundle or on personal file.	Date on which History Sheet and Personal File were transferred to another Police Station or destroyed.	Initials of gazetted officer ordering transfer, destruction of History Sheet and Remarks.

ALPHABATICAL INDEX TO HISTORY SHEETS

AND PERSONAL FILE PART II.

1	2	3
Name and Father's Name.	Village.	Serial No. of History Sheet and Personal File.

PERSONAL FILE WITHOUT NUMBER.

Police Station.

District.

1	2	3	4
Name of Village.	Name, parentage, caste, residence of the person whose Personal File is being started.	Date of opening Personal File.	REMARKS.

BAD LIVELIHOOD REPORTS.

Police Report in view to the initiation of proceedings to take security to be of good living. Section 108 J. C. P. C. (110 C. P. C.).

Page 1.—Name parentage, caste, age, occupation and residence of the person reported on—

Table 1.—Former convictions—

Column 1.—Serial number.

Column 2.—Complainant's name.

Column 3.—Number and date of First Information Report and name of Police Station.

Column 4.—Law and section of law.

Column 5.—Particulars of sentence, date of sentence, particulars of the court in which the conviction was obtained.

Table 2.—Reference to cases in which the person reported about has been suspected or in which his house has been searched—

Column 1.—Serial number.

Column 2.—Name and residence of complainant.

Column 3.—Law and section of law.

Column 4.—Reference to the First Information Report, its date, the station to which belonging, or to other first report in the case.

Column 5.—Brief particulars of the reason for which suspicion was entertained, or house was searched, etc.

Table 3.—Names of persons of bad character with whom the person reported associates.

Page 2 and 3.—Names of witnesses who give evidence of the reputed bad character. An abstract of their statements.

Page 4.—Report of the Officer-in-charge of the Police Station.

COPY OF INFORMATION SHEET RECEIVED.

Serial No.

Information Sheet No. Dated

..... Received from Police Station

on .. regarding

alias son of

caste resident of ^{village}
mohalla Police Station

..... District age

..... height particular marks

.....

.....

Other details

.....

Signature of Officer making the entry.

Date on which original Information Sheet was returned to
Police Station*Signature.*

FILE BOOK OF INFORMATION SHEET DESPATCHED.

No.

Dated

Information Sheet regarding alias

Son of caste

Resident of Police Station

District age height

Particular marks

Other details

*Signature.**Sub-Inspector.*

In charge of Police Station

District

NOTE.—The reason for believing that the person named is a habitual offender or a suspected person to be given on the lower half of the page and continued if necessary on the reverse.

INSPECTION REPORT.

Inspection Report on the Police Station.

[illegible]

Total

Total of corresponding quarter of previous year.

When and by whom last inspected Dates of
present Inspections and name of Inspecting Officers.

LICENSEES OF ARMS AND AMMUNITION.

Register of licenses to manufacture, convert, keep or sell arms, ammunition or Military Stores:—

[illegible]

1	2	3	4	5	6
Serial No.	Name of owner, with parentage, caste and residence.	Description of arm with number.	Name from whom purchased.	Date of transfer, etc.	REMARKS.

LICENSEES OF EXCISE AND OPIUM.

Register of licenses granted under Excise Act, Opium Act for end
of in the district, Police Station.

[illegible]

LICENSEES OF EXPLOSIVES.

Register of licenses to manufacture, possess and sell explosives in
District, Police Station.

1	2	3	4	5	6	7	8	9
Serial No.	Names, parentage and place of residence of licensees.	Place of Business, Factory or Shop.	Maximum quantity of explosives to be possessed at any one time.	Description and quantity of explosives to be manufactured during the year.	Description and quantity of explosives to be possessed and sold during the year.	<div>PERIOD WITHIN WHICH LICENSE IS VALID.</div> <div>From</div> <div>To</div>	Dates of inspections made by Police Officers of and above the rank of Inspector.	REMARKS.

LICENSEES OF PETROLEUM.

Register of licenses to possess petroleum under the Petroleum Act.....

1	2	3	4	5	6		7		8
No. of license.	Object of license.	Name and address of licensee.	Description and quantity of petroleum to be possessed.	Place with full details of storage shed.	PERIOD FOR WHICH THE LICENSE IS VALID.		INSPECTION.		REMARKS.
					From	To	Date.	By whom	

LICENSEES OF POISON.

Register of licenses under the Poison Act No.

1	2	3	4	5		6		7
No. of license.	Name and address of Licensee.	Place of business.	Description of poisons to be possessed.	PERIOD FOR WHICH THE LICENSE IS VALID.		INSPECTION.		REMARKS.
				From	To	Date.	By whom	

1	2	3	4	5	6	7	8
Serial No.	Name and parentage of keeper of Sarai.	Residence.	Name of Sarai.	Situation of Sarai.	Date of Registration.	Date of entry in this register.	REMARKS.

CASH REGISTER.

[illegible]

PERMANENT ADVANCE REGISTER.

[illegible]

DEPARTMENTAL BILL.

1	2	3	4			5
Date.	Reference to Daily Diary Report.	Details with names of the recipients.	Amount.			REMARKS.
			Rs.	as.	p.	

I do hereby certify that the above items have actually been spent on State work and that the entries are correct.

Signature of S. H. O.

STORE ROOM REGISTER.

1	2	3	4	5	6	7	8
Serial Number.	No. of F.I.R. (if any) from whom taken (if taken from a person) and from what place.	Date of deposit and name of depositor.	Description of property.	Reference to report asking for order regarding disposal of property.	How disposed of and date.	Signature of recipient (including person by whom despatched.	REMARKS.

FILE OF ROAD CERTIFICATE.

Foil	COUNTER-FOIL	Signature
Police Station	1. Name of person parentage and offence of which accused by the Police with No. of Charge Sheet.	
District	2. Date and time of despatch from Police Station.	Dated
No. of 193 .	3. Description of property sent with number and weight of each article.	
Dated	4. Amount of diet-money expended on account of prisoners and witnesses.	
Brief reference to case or property sent.	5. Date and time of arrival at Sadar or other Station.	
To whom and where sent.	6. Signature of receiving officer.	
Officer-in-charge of Station.	7. REMARKS.	

CASH RECEIPT.

Police Station Dated 193 .

Rs. on account of

Received from

Amount in words

Reference to Daily Diary

Signature of S. H. O.

LOCK-UP REGISTER.

Serial No.	Date of entry in Jail.	Reference to Daily Diary	Name of prisoner with parentage caste and residence.	Description of the pri- soner.	Section of Law.	Date of conviction.	Punishment with parti- culars.	Date of departure to Central Jail.	Date of release.	REMARKS.
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1	Date.	
2	Station Officer P. or A.	
3	Roznamcha No.	
4	Offence, etc.	
5	Value of property stolen	
6	Description.	
7	Value of property recovered.	
8	Name of village of occurrence.	
9	Name of complainant.	
10	Name of accused.	
11	No. of accused arrested.	
12	Investigated or not.	
13	Abstract.	
14	Orders and subsequent references.	
15	Result.	
16	REMARKS.	

[illegible][illegible]

REGISTER OF POSTINGS OF ALL LOWER SUBORDINATES.

I	II
Serial No.	REMARKS.
Constabulary No.	
Name.	
Date of enrolment.	
Residence.	
Education.	
Date of return from last rural duty.	
Police Station from which last transferred	
Reasons for transfer Column 8.	
Police Station etc. to which now posted.	

LEAVE REGISTER OF ALL ENROLLED POLICE OFFICERS
FOR THE YEAR 193 .

[illegible]

ORDER BOOK.

BLACK BOOK.

Serial No.	Name of officer with designation.	POSTING.		Complaint regarding bad repute character and Police working.
		From	To	

